

## HOUSE BILL NO. 540

INTRODUCED BY DICKENSON, GALVIN-HALCRO, SESSO, NOONAN, CALLAHAN, SMITH, CAMPBELL,  
 GILLAN, COHENOUR, JACOBSON, LINDEEN, EATON, HARRINGTON, SCHMIDT, BECKER,  
 MUSGROVE, TESTER, RASER, GOLIE, MCALPIN, WILSON, DOWELL, TOOLE, GROESBECK, GRINDE,  
 BRANAE, FRANKLIN, CROMLEY, CAFERRO, VILLA, KITZENBERG, LASLOVICH, LARSON, WISEMAN,  
 FUREY, GALLUS, KEANE, STAHL, MILBURN, HAMILTON, RYAN, HINER, MOSS, SMALL-EASTMAN,  
 MANGAN

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE CREATION OF STATE DEBT THROUGH THE  
 ISSUANCE OF GENERAL OBLIGATION BONDS; APPROPRIATING THE PROCEEDS OF THE BONDS FOR  
 CAPITAL PROJECTS FOR COLLEGES OF TECHNOLOGY AND OTHER CAPITAL PROJECTS; PROVIDING  
 FOR MATTERS RELATING TO 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 6], unless otherwise  
 stated, the following definitions apply:

(1) "Capital project" means the acquisition of land or improvements or the planning, capital construction,  
 renovation, equipping, furnishing, or major repair projects authorized in [sections 1 through 6].

(2) "CPF" means the capital projects fund.

**NEW SECTION. Section 2. Appropriation of bond proceeds.** (1) The following money is appropriated  
 from the CPF from the proceeds for the bonds authorized by [section 3] to the ~~designated entity~~ DEPARTMENT OF  
ADMINISTRATION for the capital projects described in this section, contingent upon the authorization of general  
 obligation bonds by the 59th legislature and the sale of bonds by the board of examiners:

Agency/Project

DEPARTMENT OF COMMERCE

GREAT PLAINS DINOSAUR PARK

\$500,000

MONTANA HISTORICAL SOCIETY

MONTANA HISTORICAL SOCIETY BUILDING

\$7,500,000

MONTANA UNIVERSITIES AND COLLEGES

Montana State University	
Great Falls College of Technology	<del>\$16,500,000</del> <u>11,000,000</u>
Billings College of Technology	<del>9,500,000</del> <u>9,000,000</u>
University of Montana	
Helena College of Technology	7,500,000
Montana Tech of the University of Montana	
Petroleum Building	<del>7,000,000</del> <u>9,000,000</u>
<u>GAINES HALL RENOVATION, PHASE I</u>	<u>3,500,000</u>
<u>MSUAES PROJECTS</u>	<u>500,000</u>

(2) THE FOLLOWING MONEY IS APPROPRIATED FROM THE CPF FROM THE PROCEEDS FOR THE BONDS AUTHORIZED BY [SECTION 3] TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR THE CAPITAL PROJECTS DESCRIBED IN THIS SECTION, CONTINGENT UPON THE AUTHORIZATION OF GENERAL OBLIGATION BONDS BY THE 59TH LEGISLATURE AND THE SALE OF BONDS BY THE BOARD OF EXAMINERS:

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

St. Mary Water Project -- State Support	10,000,000
State Cost Share -- Fort Belknap Water Compact	9,500,000

NEW SECTION. Section 3. Authorization of bonds -- CONDITION. (1) The ~~THE~~ SUBJECT TO SUBSECTION (2), ~~THE~~ board of examiners is authorized to issue and sell general obligation bonds in an amount not exceeding ~~\$60~~ ~~\$67.5~~ ~~\$68~~ million for the capital projects described in [section 2] over and above the amount of general obligation bonds outstanding on January 1, 2005. The bonds must be issued in accordance with the terms and in the manner required by Title 17, chapter 5, part 8. The authority granted to the board by this section is in addition to any other authorization to the board to issue and sell general obligation bonds.

(2) THE SALE OF BONDS AND THE APPROPRIATION IN [SECTION 2] OF BOND PROCEEDS FOR THE ST. MARY WATER PROJECT ARE CONTINGENT UPON THE RECEIPT OF THE FEDERAL COST-SHARE FOR THE PROJECT.

NEW SECTION. Section 4. Planning and design. The department of administration AND DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION may proceed with the planning and design of capital projects prior to the receipt of other funding sources. The ~~department~~ DEPARTMENTS 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 5. 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.

**NEW SECTION. Section 6. Legislative consent.** The appropriations authorized in [section 2] constitute legislative consent for the capital projects contained in [section 2] within the meaning of 18-2-102.

**NEW SECTION. Section 7. Requirement for approval of state debt.** Because [section 3] authorizes the creation of state debt, a vote of two-thirds of the members of each house of the legislature is required for enactment of [section 3]. If [section 3] is not approved by the required vote, [this act] is void.

**NEW SECTION. SECTION 8. 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 9. Effective date.** [This act] is effective on passage and approval.

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