

HOUSE BILL NO. 403

INTRODUCED BY D. HAGSTROM

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A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2017; 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], 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].

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

1	GFAFRC USAR Mechanical System Corrections		
2		450,000 (Federal Special Revenue)	450,000 (Total)
3	CSMS Sandblast Booth		
4		1,500,000 (Federal Special Revenue)	1,500,000 (Total)
5	VA Cemetery Improvements		
6		2,000,000 (Federal Special Revenue)	2,000,000 (Total)
7	DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES		
8	Replace Boiler, MVH		
9		331,500 (LRBP)	331,500 (Total)
10	DEPARTMENT OF TRANSPORTATION		
11	Equipment Storage Buildings		
12		4,300,000 (State Special Revenue)	4,300,000 (Total)
13	MONTANA UNIVERSITY SYSTEM		
14	MT Ag Experiment Station Projects - Phase 1		
15		2,480,000 (LRBP)	2,480,000 (Total)
16	MUS Life Safety, Deferred Maintenance		
17		4,600,000 (LRBP)	4,600,000 (Total)
18	Bitterroot College Facility		
19		4,200,000 (Authority Only)	4,200,000 (Total)
20	New Engineering Building - MSU-Bozeman		
21		60,000,000 (Authority Only)	60,000,000 (Total)
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23	<b>NEW SECTION. Section 3. Capital improvements.</b> (1) The following money is appropriated to the		
24	department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital improvements		
25	to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization:		
26	Migratory Bird Program		
27		845,000 (State Special Revenue)	845,000 (Total)
28	Parks Program		
29		2,766,800 (State Special Revenue)	
30		1,300,000 (Federal Special Revenue)	4,066,800 (Total)

1	Future Fisheries		
2		1,277,000 (State Special Revenue)	1,277,000 (Total)
3	Hatchery Maintenance		
4		600,000 (State Special Revenue)	600,000 (Total)
5	Sekokini Springs Hatchery Rearing Ponds		
6		400,000 (Federal Special Revenue)	400,000 (Total)
7	FAS Site Protection		
8		847,200 (State Special Revenue)	
9		600,000 (Federal Special Revenue)	1,447,200 (Total)
10	Upland Game Bird Program		
11		849,000 (State Special Revenue)	849,000 (Total)
12	Grant Programs		
13		139,000 (State Special Revenue)	
14		3,750,000 (Federal Special Revenue)	3,889,000 (Total)
15	Wildlife Habitat Maintenance		
16		1,234,000 (State Special Revenue)	1,234,000 (Total)
17	Dam Maintenance		
18		50,000 (State Special Revenue)	50,000 (Total)
19	Community Fishing Ponds		
20		50,000 (State Special Revenue)	50,000 (Total)
21	Forest Management		
22		320,000 (State Special Revenue)	320,000 (Total)
23	(2) Authority is being granted to the Montana university system in the amount of \$6 million for the		
24	purpose of making capital improvements to campus facilities. Authority-only funds may include federal special		
25	revenue, donations, grants, and higher education funds. All costs for the operations and maintenance of any new		
26	improvements constructed under this authorization must be paid by the Montana university system from nonstate		
27	sources:		
28	General Spending Authority MUS		
29		6,000,000 (Authority Only)	6,000,000 (Total)

30 (3) The following money is appropriated to the department of military affairs in the indicated amount for

1 the purpose of making capital improvements to statewide facilities. All costs for the operation and maintenance  
2 of any new improvements constructed with these funds must be paid by the department of military affairs from  
3 nonstate sources:

4 Federal Spending Authority

5 3,000,000 (Federal Special Revenue) 3,000,000 (Total)

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

8 Statewide Maintenance, Repair, and Small Projects

9 2,500,000 (State Special Revenue) 2,500,000 (Total)

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

12 Energy Improvements - Statewide

13 2,500,000 (State Special Revenue) 2,500,000 (Total)

14 State special revenue funds consist of SBECF funds.

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16 **NEW SECTION. Section 4. Land acquisition appropriations.** The following money is appropriated  
17 to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land  
18 leasing, easement purchase, or development agreements:

19 Habitat Montana

20 10,668,000 (State Special Revenue) 10,668,000 (Total)

21 Bighorn Sheep Habitat

22 460,000 (State Special Revenue) 460,000 (Total)

23 FAS Acquisition

24 245,000 (State Special Revenue)

25 100,000 (Federal Special Revenue) 345,000 (Total)

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27 **NEW SECTION. Section 5. Planning and design.** The department of administration may proceed with  
28 the planning and design of capital projects prior to the receipt of other funding sources. The department may use  
29 interentity loans in accordance with 17-2-107 to pay planning and design costs incurred before the receipt of  
30 funding from another funding source.

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

7           (1) the level of funding provided under the financial plan deviates substantially from the funding level  
8 provided in [section 2] for that project; or

9           (2) the scope of the project is substantially altered or revised from the preliminary plans presented for  
10 that project in the 2017 biennium long-range building program presented to the 64th legislature.  
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12           NEW SECTION. **Section 7. Review by department of environmental quality.** The department of  
13 environmental quality shall review capital projects authorized in [section 2] for potential inclusion in the state  
14 building energy conservation program under Title 90, chapter 4, part 6. When a review shows that a capital  
15 project will result in energy improvements, that project must be submitted to the energy conservation program  
16 for funding consideration. Funding provided under the energy conservation program guidelines must be used to  
17 offset or add to the authorized funding for the project, and the amount will be dependent on the annual utility  
18 savings resulting from the facility improvement. Agencies must be notified of potential funding after the review.  
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20           NEW SECTION. **Section 8. Legislative consent.** The appropriations authorized in [sections 1 through  
21 7] constitute legislative consent for the capital projects contained in [sections 1 through 7] within the meaning of  
22 18-2-102.  
23

24           NEW SECTION. **Section 9. Severability.** If a part of [this act] is invalid, all valid parts that are severable  
25 from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part  
26 remains in effect in all valid applications that are severable from the invalid applications.  
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28           NEW SECTION. **Section 10. Effective date.** [This act] is effective on passage and approval.  
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