



AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2019; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; AMENDING SECTION 5, CHAPTER 324, LAWS OF 2011; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 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 7].

(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.

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

Section 2. Capital projects appropriations and authorizations. (1) 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	State	Federal	Authority	Total
	Special	Special	Only	

	Revenue	Revenue	
DEPARTMENT OF ADMINISTRATION			
Life Safety and Deferred Maintenance, Capitol Complex			
	3,500,000		3,500,000
State Special Revenue funds consist of capitol land grant funds.			
Utility Rebate Funds, Statewide			
	2,000,000		2,000,000
Life Safety and Deferred Maintenance - Statewide			
	5,500,000		5,500,000
State special revenue funds consist of long-range building program funds of the capital projects fund type.			
Life Safety and Deferred Maintenance - MUS - Statewide			
	3,000,000		3,000,000
State special revenue funds consist of long-range building program funds of the capital projects fund type.			
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES			
Montana Mental Health Nursing Care Center Boiler and Heating Replacement - Lewistown			
	2,500,000		2,500,000
State special revenue funds consist of long-range building program funds of the capital projects fund type.			
Southwestern Montana Veterans' Home			
		9,831,250	9,831,250
DEPARTMENT OF JUSTICE			
Montana Law Enforcement Academy			
	8,100,000		8,100,000
State special revenue funds consist of long-range building program funds of the capital projects fund type.			
DEPARTMENT OF MILITARY AFFAIRS			
Female Latrines - Statewide			
	200,000	200,000	400,000
State special revenue funds consist of long-range building program funds of the capital projects fund type.			
Statewide Roof Replacement and Repair			
	1,100,000	2,200,000	3,300,000
State special revenue funds consist of long-range building program funds of the capital projects fund type.			
DEPARTMENT OF FISH, WILDLIFE AND PARKS			

Electrical Upgrades, Lewis & Clark Caverns State Park	2,200,000		2,200,000
Administrative Facilities Major Maintenance	2,737,000	262,500	2,999,500
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION			
Forestry Division Mechanic Shop, Missoula	300,000		300,000
MONTANA UNIVERSITY SYSTEM			
Liberal Arts Building Renovation, UM		6,000,000	6,000,000
Clinical Psychology Addition, UM		4,000,000	4,000,000
Neural Injury Center, UM		7,000,000	7,000,000
Education Building Expansion, UM		20,000,000	20,000,000
MAES Livestock Complex, MSU		10,000,000	10,000,000
Living Learning Center, MT Tech		8,500,000	8,500,000
Natural Resources Research Center Addition, Montana Tech		350,000	350,000
Barnard Hall Renovation, MSU Bozeman		1,500,000	1,500,000

(2) The following money is appropriated to the department of military affairs for the indicated capital projects from the indicated sources:

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only	Total
DEPARTMENT OF MILITARY AFFAIRS				
UTES/CSMS Wash Facility, Helena		2,000,000		2,000,000
Cemetery Improvements, Ft. Harrison and Miles City		4,000,000		4,000,000
Replace Malta Readiness Center		3,015,000		3,015,000

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:

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only	Total
Parks Program Maintenance	2,000,000			2,000,000
The department will prioritize projects that address sanitization and safety concerns at state parks with this appropriation.				
Upland Game Bird Enhancement Program				
	1,164,000			1,164,000
Wildlife Habitat Maintenance				
	500,000			500,000
Forest Management				
	100,000			100,000
Migratory Bird Program				
	880,000			880,000
Cultural Preservation, Bannack State Park				
	1,650,000			1,650,000
Road Infrastructure Repairs, Makoshika State Park				
	2,100,000			2,100,000
Grant Programs				
	222,400	4,900,000		5,122,400
Future Fisheries				
	1,177,000			1,177,000
FAS Site Protection				
	500,000	1,743,200		2,243,200
Hatchery Maintenance				
	550,000		175,000	725,000
Dam Maintenance				
	60,000			60,000
Community Fishing Ponds				
	25,000			25,000

Fish Passage Construction, Statewide

183,000	372,000	165,000	720,000
---------	---------	---------	---------

Hatchery Raceways, Murray Springs

300,000	300,000
---------	---------

(2) Authority is granted to the university of Montana in the indicated amount for the purpose of making capital improvements to existing campus facilities. Authority-only funds may include federal special revenue, donations, grants, auxiliary funds, proprietary funds, and nonstate university funds. All costs for additional operations and maintenance of any improvements constructed under this authorization must be paid by the university of Montana from nonstate sources:

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only	Total
----------------	-----------------------------	-------------------------------	-------------------	-------

General Spending Authority

6,000,000	6,000,000
-----------	-----------

(3) The following money is appropriated to the department of military affairs in the indicated amount for the purpose of making capital improvements to existing statewide facilities. All costs for additional operations and maintenance of any improvements constructed under this authorization must be paid by the department of military affairs from nonstate sources:

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only	Total
----------------	-----------------------------	-------------------------------	-------------------	-------

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	State Special Revenue	Federal Special Revenue	Authority Only	Total
----------------	-----------------------------	-------------------------------	-------------------	-------

Maintenance, Repair, & Small Projects

2,500,000	2,500,000
-----------	-----------

(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	State Special Revenue	Federal Special Revenue	Authority Only	Total
Energy Improvements, Statewide	3,700,000			3,700,000

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

(6) Authority is granted to Montana state university in the indicated amount for the purpose of making capital improvements to existing campus facilities. Authority-only funds may include federal special revenue, donations, grants, auxiliary funds, proprietary funds, and nonstate university funds. All costs for additional operations and maintenance of any improvements constructed under this authorization must be paid by the Montana state university from nonstate sources:

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only	Total
General Spending Authority, MSU			3,000,000	3,000,000

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, fee title, land leasing, easement purchase, or development agreements:

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only	Total
Habitat Montana	13,324,000			13,324,000
Bighorn Sheep Habitat	370,000			370,000
Home to Hunt Access	220,000			220,000
FAS Acquisition				

298,000

186,000

484,000

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 upon the receipt of funding from another funding source, the department of administration may not let the project for bid until the agency receiving funding 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 2019 biennium long-range building program presented to the 65th 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. Legislative consent. The appropriations authorized in [sections 1 through 7] constitute legislative consent for the capital projects contained in [sections 1 through 7] within in the meaning of 18-2-102.

Section 9. Section 5, Chapter 324, Laws of 2011, is amended to read:

"Section 5. Capital project appropriations. (1) There is appropriated ~~\$4,842,500~~ up to \$5,293,750 from state special revenue account established in section 2, Chapter 461, Laws of 2009, to the department of

administration for the southwestern Montana veterans' home project.

(2) There is appropriated ~~\$8,937,500~~ \$9,831,250 from the federal special revenue fund to the department of administration for the southwestern Montana veterans' home project.

(3) In the event of a private donation of the amount in subsection (2) and subsequent receipt of federal funds, the federal funds must be deposited in the general fund.

~~(3)~~(4) The department of administration is authorized to transfer the appropriations in subsections (1) and (2) among the necessary fund types for this project."

Section 10. Coordination instruction. If [LC 681] is not passed and approved containing a transfer from the consumer protection account to the long-range building program account, then the appropriation to the department of administration for the Montana law enforcement academy project in [section 2] is void.

Section 11. 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 12. Effective date. [This act] is effective on passage and approval.

- END -

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

Speaker of the House

Signed this _____ day
of _____, 2017.

Chief Clerk of the House

President of the Senate

Signed this _____ day
of _____, 2017.

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, 2019;
PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; AMENDING SECTION 5,
CHAPTER 324, LAWS OF 2011; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.