

HOUSE BILL NO. 5

INTRODUCED BY L. JONES

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO CAPITAL DEVELOPMENT PROJECTS; APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2022; ~~EXTENDING ALLOCATION OF SALES TAX ON ACCOMMODATIONS AND CAMPGROUNDS TO CAPITAL PROJECTS ACCOUNT; 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 MAJOR REPAIR AND CAPITAL DEVELOPMENT ACCOUNTS;~~ PROVIDING DEFINITIONS; PROVIDING FOR AN APPROPRIATION FROM THE MONTANA HERITAGE CENTER ACCOUNT; PROVIDING AN APPROPRIATION; ~~AMENDING SECTIONS 15-68-820 AND 22-3-1303, MCA;~~ AMENDING SECTION 2, CHAPTER 422, LAWS OF 2019; 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 449], 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, nonstate funds, and university funds.

(2) "Major repair" means capital projects provided for in 17-7-201(7).

(3) "Capital development" means capital projects provided for in 17-7-201(2).

(4) "Capital project" means the planning, design, renovation, construction, alteration, replacement, furnishing, repair, improvement, site, utility, or land acquisition project provided for in [sections 1 through 449].

(5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair account in the capital projects fund type provided for in 17-7-221.

1 (6) "LRBP capital development" means the long-range building program capital development account  
 2 in the capital projects fund type provided for in 17-7-209.

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

5 (8) "SBECP" means funds from the state building energy conservation program account in the capital  
 6 projects fund type which may be utilized on either or both major repair and capital development projects.

7  
 8 **NEW SECTION. Section 2. Major repair projects appropriations and authorizations.** (1) The  
 9 following money is appropriated to the department of administration for the indicated major repair projects from  
 10 the indicated sources. Funds not requiring legislative appropriation are included for the purpose of  
 11 authorization. The department of administration is authorized to adjust capital project amounts within the  
 12 legislative intent of the major repair account-funded projects, subject to available revenues, if approved by the  
 13 office of budget and program planning, and transfer the appropriations, authority, or both among the necessary  
 14 fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	MR	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
OPI MT Learning Center Civil Infrastructure Upgrades					
	300,000				300,000
MT Tech Heating System Upgrades Phase 1					
	2,480,000				2,480,000
UM FLBS Sewer Treatment Plant					
	1,750,000				1,750,000
MSU Reid Hall Fire System Upgrades					
	1,700,000				1,700,000
UM Urey Lecture Hall Roof					
	350,000				350,000
MSDB Upgrade Sprinkler System in Bitterroot Building					

1	150,000		150,000
2	MSP Unit F Boiler System / Controls		
3	230,000		230,000
4	UM Mansfield Library Roof Replacement		
5	1,200,000		1,200,000
6	MSU Haynes Hall Lab Ventilation Upgrades		
7	1,600,000		1,600,000
8	MT Tech Fire Alarm Upgrades		
9	200,000		200,000
10	MSDB Sprinkler Systems—Mustang Center and Dining Room		
11	150,000		150,000
12	MSU Montana Hall Fire System Upgrades		
13	455,000		455,000
14	MSU BLGS Art Annex Safety and System Upgrades		
15	1,200,000		1,200,000
16	UM-HC Donaldson Building HVAC Upgrades		
17	1,000,000		1,000,000
18	UM-W Heating System Replacement and Repair		
19	2,495,000		2,495,000
20	UM Stone Hall Roof Replacement		
21	400,000		400,000
22	MSU-N Vande Bogart Library Roof Replacement		
23	325,000		325,000
24	DMA Great Falls AFRC Roof Replacement		
25	204,350	613,050	817,400
26	DOC MSP Replace Fixtures—Cell Combo Units on High Side Units		
27	1,013,480		1,013,480
28	DMA Kalispell AFRC Roof Replacement		

1	357,496	642,104	999,600
2	DMA Lewistown RC Roof Replacement		
3	91,500	91,500	183,000
4	<u>DOC MCE Laundry</u>		
5	<hr/>		<u>1,300,000</u>
6	DPHHS MSH Foundation Repair		
7	200,000		200,000
8	MSU Lewis Hall Roof Replacement		
9	1,600,000		1,600,000
10	DPHHS MSH Roof Replacement Main Building		
11	600,000		600,000
12	MSU-N Auto Tech Building System Improvements		
13	535,000		535,000
14	DOC Finalize Departmental Master Plan		
15	575,000		575,000
16	MSDB Card Lock System		
17	120,000		120,000
18	UM Clapp Building Elevator Modernization		
19	300,000		300,000
20	MSDB Replace Lift in Bitterroot Building		
21	80,000		80,000
22	DPHHS MMHNCC Roof Replacement		
23	550,000		550,000
24	DMA Billings AFRC Backup Generator		
25	213,500	640,500	854,000
26	DMA Libby RC Loading Ramp Expansion		
27	38,125	114,375	152,500
28	MSDB Replace Roof on Cottage Buildings		

1	530,000	530,000
2	DOC PHYCF Door Control Systems	
3	350,000	350,000
4	DOC MWP Door Control System	
5	520,000	520,000
6	UM-W Roof Replacements	
7	450,000	450,000
8	MT Tech Roof Replacements	
9	800,000	800,000
10	DOC Xanthopolous Building Door Control System	
11	350,000	350,000
12	MSU-N Brockmann Center HVAC and Energy Project	
13	855,000	855,000
14	DNRC Swan Unit Office Siding and House Wrap	
15	210,000	210,000
16	DNRC Stillwater Unit Shop Remodel	
17	50,000	50,000
18	DPHHS MMHNCC New Flooring D-Wing	
19	174,262	174,262
20	DPHHS MVH SCU Courtyard, Columbia Falls	
21	75,000	75,000
22	State special revenue funds consist of cigarette taxes provided for in 16-11-119.	
23	DPHHS MVH Roof Resurface, Columbia Falls	
24	144,000	144,000
25	State special revenue funds consist of cigarette taxes provided for in 16-11-119.	
26	DPHHS EMVH Facia Replacement, Glendive	
27	200,000	200,000
28	State special revenue funds consist of cigarette taxes provided for in 16-11-119.	

1	DPHHS MVH Building Major Maintenance, Columbia Falls		
2		117,000	117,000

3 State special revenue funds consist of cigarette taxes provided for in 16-11-119.

4	DOA VRF Piping Replacement, Scott Hart Building		
5		900,000	900,000

6 State special revenue funds consist of capital land grant funds provided for in 18-2-107.

7	DOA Executive Residence Renovation		
8		440,500	440,500

9 State special revenue funds consist of capital land grant funds provided for in 18-2-107.

10	<del>DOA Capitol Weatherization Phase 1</del>		
11		<del>1,440,000</del>	<del>1,440,000</del>

12 ~~State special revenue funds consist of capital land grant funds provided for in 18-2-107.~~

13	<del>DOA Roof Replacement—111 North Sanders</del>		
14		<del>418,600</del>	<del>418,600</del>

15 ~~State special revenue funds consist of capital land grant funds provided for in 18-2-107.~~

16	DOA Mechanical Upgrade—5 South Last Chance Gulch		
17		<del>594,500</del> <u>575,000</u>	<del>594,500</del> <u>575,000</u>

18 State special revenue funds consist of capital land grant funds provided for in 18-2-107.

19	DOA Mechanical Upgrade—2800 Airport Rd, <del>FWP</del> <u>DNRC</u> Hangar		
20		<del>1,306,272</del> <u>1,000,000</u>	<del>1,306,272</del> <u>1,000,000</u>

21 State special revenue funds consist of capital land grant funds provided for in 18-2-107.

22	<del>DOA Elevator Modifications—1401 East 6th, Cogswell</del>		
23		<del>580,000</del>	<del>580,000</del>

24 ~~State special revenue funds consist of capital land grant funds provided for in 18-2-107.~~

25	<del>DOA Boiler/Chiller Replacement—1315 East Lockey</del>		
26		<del>442,250</del>	<del>442,250</del>

27 ~~State special revenue funds consist of capital land grant funds provided for in 18-2-107.~~

28 DOA Capitol Complex, Campus-wide Facilities Repairs and Maintenance

1 ~~800,000~~400,000 ~~800,000~~400,000

2 State special revenue funds consist of capital land grant funds provided for in 18-2-107. Funds  
3 may be used as determined by the department for energy savings, repairs, and non-routine maintenance  
4 needs.

5 (2) State special revenue fund appropriations to the department of administration from the capital land  
6 grant fund may be adjusted among the indicated capital projects within the legislative intent, subject to available  
7 revenue, if approved by the office of budget and program planning.

8 (3) The following money is appropriated to the department of military affairs for the indicated major  
9 repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the  
10 purpose of authorization. The department of military affairs is authorized to transfer the appropriations,  
11 authority, or both among the necessary fund types for these projects:

Agency/Project	LRBP State	Federal	Authority	Total
MR	Special	Special	Only	
Fund	Revenue	Revenue	Sources	
Ft. Harrison Building 530 Roof Replacement				
		244,000		244,000
Post Engineers Remodel				
		473,850		473,850
Billings FMS Compound Fencing				
		99,450		99,450
FTH Range Vault Latrines				
		99,450		99,450
AASF Waste Tanks				
		137,250		137,250
Helena FMS MEP Rigid Concrete Paving Expansion				
		434,625		434,625
LSH Concrete Loading Ramp				
		122,000		122,000
Missoula FMS Rigid Concrete Paving				
		106,750		106,750

26 **NEW SECTION. Section 3. Capital development projects appropriations and authorizations. (1)**

27 The following money is appropriated to the department of administration for the indicated capital development  
28 projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of

1 authorization. The department of administration is authorized to transfer the appropriations, authority, or both  
 2 among the necessary fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	

6	MT Tech Heating System Upgrades Phase 2				
7		3,520,000			3,520,000

8	DMA Butte Readiness Center				
9		801,249	2,195,751		2,997,000

10 Capital development funds are an increase to the 5,000,000 of general obligation bonds, and  
 11 the federal special revenue is an increase to 17,000,000, both approved in Chapter 476 of the Session Laws of  
 12 2019 for "Butte-Silver Bow County Armory".

13	DMA Havre Unheated Storage Building				
14		105,530	316,590		422,120

15	DMA Billings AFRC Unheated Storage Expansion				
16		77,013	231,038		308,051

17	<u>DMA Malta Vehicle Maintenance Shop</u>				
18			<u>17,877,000</u>		<u>17,877,000</u>

19	DOA State Health Lab Renovation, Capitol Complex				
20				6,000,000	6,000,000

21	DOA Commodities Warehouse Expansion, Capitol Complex				
22				1,779,230	1,779,230

23	<u>DOC Food Factory Expansion, Authority Increase</u>				
24				<u>500,000</u>	<u>500,000</u>

25 Authority Only is an increase to 3,000,000 approved in Chapter 422 of the Session Laws of 2019 for  
 26 "Food Factory Expansion".

27	MDT Terry 3-Bay ESB 400,000				400,000
28	MDT White Sulphur 8-Bay ESB				



1		1,250,000	1,250,000
2	MDT Phillipsburg 5-Bay ESB		
3		825,000	825,000
4	MDT Custer 5-Bay ESB	825,000	825,000
5	MDT Havre Welding Shop		
6		400,000	400,000
7	MDT Billings Welding Shop/Tow Plow Storage		
8		650,000	650,000
9	MDT Harlem 6-Bay ESB		
10		915,000	915,000
11	<u>MDT Lincoln Airport Snow Removal Building</u>		
12		<u>450,000</u>	<u>450,000</u>
13	MDT Remodel/Expand Yellowstone Airport		
14		10,000,000	10,000,000
15	Federal special revenue is an increase to 13,500,000 approved in Chapter 422 of the Session		
16	Laws of 2019 for "MDT Remodel/Expand Yellowstone Airport Terminal".		
17	FWP Havre Area Office	1,760,000 500,000	2,260,000
18	FWP Montana Wild Avian Rehabilitation Building		
19		600,000	600,000
20	UM Music Building Renovations	6,000,000	6,000,000
21	UM Rankin Hall Building Renovations	6,000,000	6,000,000
22	UM Mansfield Library Renovations	6,000,000	6,000,000
23	MSU Instructional Space Upgrades	2,000,000	2,000,000
24	MSU Renne Library Renovations	5,000,000	5,000,000
25	UM Montana Museum for Art and Culture	2,000,000	2,000,000
26	Authority only is an increase to 6,000,000 approved in Chapter 560 of the Session Laws of		
27	2005 for "New Gallery Space, UM-Missoula".		
28	DOJ MLEA Scenario Training Building		



1	Wildlife Habitat Maintenance			
2		<del>440,000</del>	<del>1,000,000</del>	<del>1,440,000</del>
3		<u>1,147,500</u>	<u>2,442,500</u>	<u>3,590,000</u>
4	Forest Management	65,000		65,000
5	Migratory Bird Program	650,000		650,000
6	Upland Game Bird Enhancement Program			
7		650,000		650,000
8	Smith River Corridor	200,000		200,000
9	Wildlife Habitat Improvement Program	2,000,000		2,000,000
10	Yellow Bay State Park Site Upgrade			
11		1,200,000		1,200,000
12	Cedar Islands Infrastructure Upgrades			
13		200,000		200,000
14	Hell Creek State Park			
15		100,000	300,000	400,000
16	Administrative Facilities Repairs and Major Maintenance			
17		1,762,150	500,000	2,262,150
18	Flathead Lake Recreation Access			
19		4,959,000	2,900,000	7,859,000
20	Fish Connectivity	200,000	1,025,000	615,000
21	Home to Hunt Access	850,000		850,000
22	Interpretation and Exhibit Upgrades			
23		<del>500,000</del>	<del>500,000</del>	500,000
24	Lewis and Clark Caverns			
25		600,000		600,000
26	Lower Yellowstone Access			
27		4,000,000		4,000,000
28	Shooting Ranges Statewide			

1		250,000	2,250,000		2,500,000
2	Grant Programs	3,390,000	6,000,000		9,390,000
3	Diversified Lodging	500,000			500,000
4	Milltown SP	125,000		125,000	250,000
5	Fort Owen SP			390,000	390,000
6	Parks Maintenance	2,500,000			2,500,000
7	Hatchery Maintenance	7,600,000			7,600,000

8 (2) Authority is granted to the Montana university system for the purpose of making capital  
 9 improvements to campus facilities, statewide. Authority only funds may include donations, grants, auxiliary  
 10 funds, proprietary funds, nonstate funds, and university funds. All costs for the operations and maintenance of  
 11 any improvements constructed under this authorization must be paid by the Montana university system from  
 12 nonstate sources:

13	Agency/Project	LRBP	State	Federal	Authority	Total
14		Fund	Special	Special	Only	
15			Revenue	Revenue	Source	
16	General Spending Authority, MUS All Campuses				20,000,000	20,000,000

17 (3) The following money is appropriated to the department of military affairs in the indicated amount  
 18 for the purpose of making capital improvements to statewide facilities. All costs for the operations and  
 19 maintenance of any improvements constructed with these funds must be paid by the department of military  
 20 affairs from nonstate sources:

21	Agency/Project	LRBP	State	Federal	Authority	Total
22		Fund	Special	Special	Only	
23			Revenue	Revenue	Sources	
24	Federal Spending Authority			3,000,000		3,000,000

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

27	Agency/Project	LRBP	State	Federal	Authority	Total
28		Fund	Special	Special	Only	

1		Revenue	Revenue	Source	
2	Maintenance, Repair, and Small Projects, Statewide				
3		2,300,000			2,300,000

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

7	Agency/Project	LRBP	State	Federal	Authority	Total
8		Fund	Special	Special	Only	
9			Revenue	Revenue	Source	
10	Energy Improvements, Statewide					
11			3,700,000			3,700,000

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

14  
 15 **NEW SECTION. Section 5. Land acquisition appropriations and authorizations.** The following  
 16 money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for purposes of  
 17 land acquisition, land leasing, easement purchase, or development agreements. The department of fish,  
 18 wildlife, and parks is authorized to transfer the appropriations, authority, or both among the necessary fund  
 19 types for these projects:

20	Agency/Project	LRBP	State	Federal	Authority	Total
21		Fund	Special	Special	Only	
22			Revenue	Revenue	Source	
23	FAS Acquisitions		280,000			280,000
24	Habitat Montana		9,550,000	2,000,000		11,550,000
25	Big Horn Sheep Habitat		320,000			320,000

26  
 27 **NEW SECTION. Section 6. Planning and design.** The department of administration may proceed  
 28 with the planning and design of capital projects in [either or both sections 2 and 3] prior to the receipt of other

1 funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and  
2 design costs incurred before the receipt of other funding sources.

3  
4 **NEW SECTION. Section 7. Capital projects -- contingent funds.** If a capital project is financed, in  
5 whole or in part, with appropriations contingent upon the receipt of other funding sources, the department of  
6 administration may not let the project for bid until a financial plan and agreement with the agency has been  
7 approved by the director of the department of administration. A financial plan and agreement may not be  
8 approved by the director if:

- 9 (1) the level of funding and authorization provided under the financial plan and agreement deviates
- 10 substantially from the funding level provided in [either or both sections 2 and 3] for that project; or
- 11 (2) the scope of the project is substantially altered or revised from the concept and intent for that
- 12 project as presented to the 67th legislature.

13  
14 **NEW SECTION. Section 8. Review by department of environmental quality.** The department of  
15 environmental quality shall review capital projects authorized in [either or both sections 2 and 3] for potential  
16 inclusion in the state building energy conservation program (SBECP) under Title 90, chapter 4, part 6. When a  
17 review shows that a capital project will result in energy or utility savings and improvements, that project must be  
18 submitted to the energy conservation program for funding consideration by the SBECP. Funding provided  
19 under the energy conservation program guidelines must be used to offset or add to the authorized funding for  
20 the project, and the amount will be dependent on the annual utility savings resulting from the capital project.  
21 Agencies must be notified of potential funding after the review and are obligated to utilize the SBECP funding, if  
22 available.

23  
24 **~~Section 9. Section 15-68-820, MCA, is amended to read:~~**  
25 **~~"15-68-820. — Sales tax and use tax proceeds. (1) Except as provided in subsections (2) through (6),~~**  
26 **~~all money collected under this chapter must, in accordance with the provisions of 17-2-124, be deposited by the~~**  
27 **~~department into the general fund.~~**  
28 **~~(2) Twenty-five percent of the revenue collected on the base rental charge for rental vehicles under~~**

1 ~~15-68-102(1)(b) and 15-68-102(3)(a)(ii) must be deposited in the state special revenue fund to the credit of the~~  
2 ~~senior citizen and persons with disabilities transportation services account provided for in 7-14-112.~~

3 ~~(3) Until December 30, 2024, 2025, a portion of the revenue collected on the sale or use of~~  
4 ~~accommodations and campgrounds under 15-68-102 (1)(a) and (3)(a)(i) must be deposited as follows:~~

5 ~~(a) 20% in the account established in 22-3-1303 for construction of the Montana heritage center; and~~

6 ~~(b) 5% in the account established in 22-3-1307 for historic preservation grants.~~

7 ~~(4) Starting January 1, 2025, 2026, a portion of the revenue collected on the sale or use of~~  
8 ~~accommodations and campgrounds under 15-68-102(1)(a) and (3)(a)(i) must be deposited or distributed as~~  
9 ~~follows:~~

10 ~~(a) 6% in the account established in 22-3-1304 for operation and maintenance of the Montana~~  
11 ~~heritage center;~~

12 ~~(b) 6% distributed as provided in subsection (5);~~

13 ~~(c) 6% in the account established in 22-3-1307 for historic preservation grants; and~~

14 ~~(d) 7% in the account established in 17-7-209.~~

15 ~~(5) (a) Before allocating the balance of the tax proceeds in accordance with the provisions of 17-2-~~  
16 ~~124 and as provided in subsection (5)(b) of this section, the department shall determine the expenditures by~~  
17 ~~state agencies for in-state lodging for each reporting period and deduct 1% of that amount from the tax~~  
18 ~~proceeds received each reporting period. The department shall distribute the portion of the 1% that was paid~~  
19 ~~with federal funds to the agency that made the in-state lodging expenditure and deposit 30% of the amount~~  
20 ~~deducted less the portion paid with federal funds in the state general fund.~~

21 ~~(b) The balance of the tax proceeds received each reporting period and not distributed to agencies~~  
22 ~~that paid the tax with federal funds must be transferred to an account in the state special revenue fund to the~~  
23 ~~credit of the department of commerce for tourism promotion and promotion of the state as a location for the~~  
24 ~~production of motion pictures and television commercials, to the department of fish, wildlife, and parks, and to~~  
25 ~~the state tribal economic development commission as follows:~~

26 ~~(i) 7% to the department of fish, wildlife, and parks for the maintenance of facilities in state parks that~~  
27 ~~have both resident and nonresident use;~~

28 ~~(ii) 68.5% to be used directly by the department of commerce;~~

1 ~~(iii) (A) except as provided in subsection (5)(b)(iii)(B), 24% to be distributed by the department of~~  
2 ~~commerce to regional nonprofit tourism corporations in the ratio of the proceeds collected in each tourism~~  
3 ~~region to the total proceeds collected statewide; and~~

4 ~~(B) if 24% of the proceeds collected annually within the limits of a city, consolidated city-county, resort~~  
5 ~~area, or resort area district exceeds \$35,000, 50% of the amount available for distribution to the regional~~  
6 ~~nonprofit tourism corporation in the region where the city, consolidated city-county, resort area, or resort area~~  
7 ~~district is located to be distributed to the nonprofit convention and visitors bureau in that city, consolidated city-~~  
8 ~~county, resort area, or resort area district; and~~

9 ~~(iv) 0.5% to the state special revenue account provided for in 90-1-135 for use by the state-tribal~~  
10 ~~economic development commission established in 90-1-131 for activities in the Indian tourism region.~~

11 ~~(6) The tax proceeds received that are transferred to a state special revenue account pursuant to~~  
12 ~~subsection (5)(b) are allocated to the entities."~~

13  
14 **Section 10.** Section 22-3-1303, MCA, is amended to read:

15 ~~"22-3-1303. Account -- Montana heritage center construction. There is an account in the capital~~  
16 ~~projects fund established in 17-2-102 known as the Montana heritage center construction account. The tax~~  
17 ~~collections allocated in 15-68-820(3)(a) must be deposited in the account until December 30, 2024 2025. The~~  
18 ~~money in the account is authorized to the department of administration and may be used only for capital~~  
19 ~~construction of the Montana heritage center."~~

20  
21 **NEW SECTION. Section 9. Appropriation.** There is appropriated ~~\$37 million~~ \$41 million from the  
22 account in the capital projects fund established in 22-3-1303 to the department of administration in accordance  
23 with 17-7-212 for capital construction of the Montana heritage center. Any funds in excess of ~~\$37 million~~ \$41  
24 million in the account must be transferred to the general fund and the account closed upon completion of the  
25 project.

26  
27 **NEW SECTION. Section 10. Increase in state funding for program expansion or operations and**  
28 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and



1 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 67th  
2 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

3  
4 **NEW SECTION. Section 11. Legislative consent.** The appropriations authorized in [sections 1  
5 through 449] constitute legislative consent for the capital projects contained in [sections 1 through 449] within  
6 the meaning of 18-2-102.

7  
8 **Section 12.** Section 2, Chapter 422, Laws of 2019, is amended to read:

9 **Section 2. Capital projects appropriations and authorizations.** The portion of section 2, Chapter  
10 422, Laws of 2019, appropriating money from the indicated sources to the department of administration for  
11 transfer to the department of military affairs for capital projects is amended to read:

12 "DEPARTMENT OF MILITARY AFFAIRS

13 <del>Indoor Firing Ranges Repurposing, Statewide</del>	<del>970,100</del>	<del>970,100</del>	<del>1,940,200</del>
14 PT/Rec Center Addition and Alteration, Ft. Harrison		2,000,000	2,000,000
15 Military Cemetery Expansions, Ft. Harrison and Missoula		4,000,000	4,000,000
16 FMS #3 Female Latrines and Remodel		702,900	702,900
17 FTH Weapons Cleaning Facility		1,700,000	1,700,000"

18  
19 **NEW SECTION. Section 13. Severability.** If a part of [this act] is invalid, all valid parts that are  
20 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
21 the part remains in effect in all valid applications that are severable from the invalid applications.

22  
23 **NEW SECTION. Section 14. Effective date.** [This act] is effective on passage and approval.

24 - END -