

1

HOUSE BILL NO. 5

2

INTRODUCED BY BERGSAGEL

3

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE
6 BIENNIAL ENDING JUNE 30, 1997; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS;
7 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8

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

10

11 **NEW SECTION.** **Section 1. Definitions.** For the purposes of [sections 1 through 9], unless
12 otherwise stated, the following definitions apply:

13 (1) "Capital project" means the acquisition of land or improvements or the planning, capital
14 construction, renovation, furnishing, or major repair projects authorized in [sections 1 through 9].

15 (2) "LRBP" means the long-range building program account in the capital projects fund type.

16 (3) "Other funding sources" means money other than LRBP money, including special revenue fund
17 money, that accrues to an agency under the provisions of the law.

18

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

22

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
DEPARTMENT OF ADMINISTRATION		
ADA Accessibility Modifications,		
Capitol Complex	\$100,000	
Capitol Restoration, Capitol Complex	\$ 300,000	Federal Special Revenue
	1,100,000	Donations
	439,000	Proprietary
	250,000	Capitol Land Grant Revenue

1	DEPARTMENT OF CORRECTIONS & HUMAN SERVICES		
2	Facility Improvements,		
3	Center for the Aged	330,000	
4	Roof Replacements, Corrections		
5	and Human Services	70,000	
6	Facility Improvements,		
7	Montana Developmental Center	644,000	
8	Facility Maintenance, Montana		
9	Veterans' Home	215,952	State Special Revenue
10	Swan River Correctional Training Center		
11	Expansion	560,000	Federal Special Revenue
12	Montana State Prison Expansion	1,500,000	Federal Special Revenue
13	Regional Correctional Facilities	4,000,000	Federal Special Revenue
14	DEPARTMENT OF FAMILY SERVICES		
15	Miscellaneous Improvements, Pine		
16	Hills School	100,000	
17	Lodge Replacement Planning,		
18	Pine Hills School	100,000	
19	DEPARTMENT OF FISH, WILDLIFE & PARKS		
20	Bluewater Hatchery, Phase II	2,500,000	State Special Revenue
21	Ulm Pishkun, Phase I	843,000	State Special Revenue
22	Administrative Facilities,		
23	Improvements	569,520	State Special Revenue
24	Makoshika State Park	300,000	State Special Revenue
25		100,000	Federal Special Revenue
26	Fish Health Lab	344,000	State Special Revenue
27	Tongue River Reservoir		
28	State Park	500,000	State Special Revenue
29		650,000	Federal Special Revenue
30	Fish Hatchery Maintenance	192,000	State Special Revenue

1	Spring Meadow Wildlife Rehabilitation		
2	and Education Center	600,000	State Special Revenue
3		25,000	Federal Special Revenue
4	Lone Pine Visitor Center	150,000	State Special Revenue
5	Salmon and Placid Lakes		
6	State Park	140,000	State Special Revenue
7		135,000	Federal Special Revenue
8	Whitefish Lake State Park	200,000	State Special Revenue
9		200,000	Federal Special Revenue
10	Lake Elmo State Park,		
11	Phase III	150,000	State Special Revenue
12	Cooney Reservoir State Park	250,000	State Special Revenue
13		40,000	Federal Special Revenue
14			
15	DEPARTMENT OF LABOR & INDUSTRY		
16	Repair and Maintenance		
17	Local Job Services, Statewide	110,000	Federal Special Revenue
18	Expand Job Service,		
19	Havre	350,000	Federal Special Revenue
20	Purchase Land for Job Service		
21	Parking, Statewide	156,550	Federal Special Revenue
22	DEPARTMENT OF MILITARY AFFAIRS		
23	Repair STARC Armory HVAC		
24	System, Helena	258,500	
25	Roof Replacements, Statewide	107,000	
26	Construct Billings Armory	12,009,800	Federal Special Revenue
27	Federal Spending Authority	800,000	Federal Special Revenue
28	State Veterans' Cemetery		
29	Phase IV	75,000	State Special Revenue
30		75,000	Federal Special Revenue

1	DEPARTMENT OF STATE LANDS		
2	Maintenance and Improvements,		
3	Statewide	336,400	
4	Construct Unit Office, Plains	300,000	
5	DEPARTMENT OF TRANSPORTATION		
6	Repair, Maintenance, and Minor		
7	Construction Projects, Statewide	650,000	Highways State Special Revenue
8	Equipment Storage Buildings, Statewide	1,820,000	Highways State Special Revenue
9	MONTANA UNIVERSITY SYSTEM		
10	Repair Old Main Steam Traps,		
11	UM - Western	55,000	
12	Repair Brockmann Center,		
13	MSU - Northern	200,000	
14	Museum Elevator,		
15	UM - Montana Tech	350,000	
16	Roof Replacements,		
17	University System	714,700	
18	Life Safety/Code Compliance		
19	University System	500,000	
20	ADA Accessibility Modifications		
21	University System	300,000	
22	Central Heating Plant, Phase II		
23	MSU - Bozeman	2,200,000	Auxiliary
24	Chemistry Building Renovation		
25	UM - Montana Tech	1,509,000	Donations
26	Pharmacy Addition/Renovation		
27	UM - Missoula	2,000,000	Donations
28	Authority Only Projects,		
29	Montana State University	11,375,946	Federal, Trust, Higher Education
30			Funds, and Donations

1 Authority Only Projects,

2 University of Montana 6,450,000 Federal, Trust, Higher Education

3 Funds, and Donations

4 STATE BOARD OF EDUCATION

5 Reshingle Cottage Complex, Montana

6 School for the Deaf and Blind 120,000

8 **NEW SECTION.** **Section 3. Land acquisition appropriation.** The following money is appropriated to the
9 department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land leasing, easement
10 purchase, or development agreement:

11	12	13	14	15	16
	<u>Agency/Project</u>		<u>LRBP</u>		<u>Other Funding Sources</u>
11					
12	Habitat Montana		\$4,600,000		State Special Revenue
13	Fishing Access Site		800,000		State Special Revenue
14	Bighorn Sheep Program		652,720		State Special Revenue
15	BPA Mitigation		1,000,000		Federal Special Revenue
16					

19 NEW SECTION. Section 4. River restoration. The following money is appropriated to the department of fish,

20 wildlife, and parks in the indicated amounts for river restoration:

21	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
22	River Restoration	\$ 290,000	State Special Revenue
23	Tongue River Restoration	1,100,000	State Special Revenue

25 **NEW SECTION. Section 5. Dams.** (1) The following money is appropriated to the department of fish, wildlife,
26 and parks in the indicated amounts for the following dams:

27	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
28	South Sandstone Dam Repair	\$ 250,000	State Special Revenue
29	Ringy Dingy Dam Repair	50,000	State Special Revenue

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

1 manage the projects.

2

3 **NEW SECTION. Section 6. Capital improvements.** (1) The following money is appropriated to the department
4 of transportation in the indicated amounts for the purpose of making capital improvements to statewide facilities:

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
Repair, Maintenance, and Minor		
Construction Projects for Highways,		
Statewide	\$250,000	State Special Revenue
Maintenance and Minor Construction		
Projects for Aeronautics, Statewide	50,000	State Special Revenue

11 (2) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts
12 for the purpose of making capital improvements to statewide facilities:

13

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
Wildlife Habitat Maintenance	\$227,000	State Special Revenue
Property Development	165,000	State Special Revenue
Fishing Access Protection,		
Statewide	625,000	State Special Revenue
	375,000	Federal Special Revenue
Waterfowl Stamp Program	185,000	State Special Revenue
Statewide Road Improvements	1,000,000	State Special Revenue
Miles City Hatchery Pond	110,000	State Special Revenue
Thompson Chain of Lakes		
Fishing Access Site	200,000	State Special Revenue
Boat "In Lieu" Regional Projects	400,000	State Special Revenue

26 (3) The following money is appropriated to the department of natural resources and conservation in the
27 indicated amounts for the purpose of the inspection, study, and renovation of dams:

28

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
Tongue River Dam Rehabilitation	\$ 3,275,000	State Special Revenue

1		30,465,000	Federal Special Revenue
2		11,001,000	Tribal Loan
3	Petrolia Dam Rehabilitation	1,076,000	State Special Revenue
4	Nevada Creek Dam Study	360,000	State Special Revenue
5	Ruby River Dam Study	480,000	State Special Revenue

6 (4) The following money is appropriated to Montana state university in the indicated amount for the purpose
7 of making capital improvements to campus facilities:

8

9	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
10	Authority Only Projects,		
11	Montana State University	\$ 200,000	Federal, Trust, Higher Education Funds, and Donations

13 (5) The following money is appropriated to the university of Montana in the indicated amount for the purpose
14 of making capital improvements to campus facilities:

15	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
16	Authority Only Projects,		
17	University of Montana	\$ 900,000	Federal, Trust, Higher Education Funds, and Donations

19

20 **NEW SECTION. Section 7. Planning and design.** The department of administration may proceed with the
21 planning and design of capital projects prior to the receipt of other funding sources. The department may use
22 interaccount loans in accordance with 17-2-107 to pay planning and design costs incurred prior to the receipt of other
23 funding sources.

24

25 **NEW SECTION. Section 8. Capital projects -- contingent funds.** If a capital project is financed in whole or in
26 part with appropriations contingent upon the receipt of other funding sources, the department of administration may
27 not let the projects for bid until the agency has submitted a financial plan for approval by the director of the department
28 of administration. A financial plan may not be approved by the director if:

29 (1) the level of funding provided under the financial plan deviates substantially from the funding level provided
30 in [sections 1 through 6] 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 1996-97 long-range building program presented to the 54th legislature.

3

4 NEW SECTION. **Section 9. Legislative consent.** The appropriations authorized in [sections 1 through 8]
5 constitute legislative consent for the capital projects contained in [sections 1 through 8] within the meaning of
6 18-2-102.

7

8 **NEW SECTION.** **Section 10. Severability.** If a part of [this act] is invalid, all valid parts that are severable from
9 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
10 effect in all valid applications that are severable from the invalid applications.

11

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

13

-END-



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5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE
6 BIENNIAL ENDING JUNE 30, 1997; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS;
7 PROVIDING FOR AN ALLOWANCE FOR MAINTENANCE BASED UPON A PERCENTAGE OF
8 CONSTRUCTION COST; REPEALING SECTION 23, CHAPTER 624, LAWS OF 1993; AND PROVIDING AN
9 IMMEDIATE EFFECTIVE DATE."

10

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

12

13 NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 9 12], unless
14 otherwise stated, the following definitions apply:

15 (1) "Capital project" means the acquisition of land or improvements or the planning, capital
16 construction, renovation, furnishing, or major repair projects authorized in [sections 1 through 9 12].

17 (2) "LRBP" means the long-range building program account in the capital projects fund type.

18 (3) "Other funding sources" means money other than LRBP money, including special revenue fund
19 money, that accrues to an agency under the provisions of the law.

20

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

25

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
DEPARTMENT OF ADMINISTRATION		
ADA Accessibility Modifications,		
Capitol Complex	\$100,000	<u>\$100,000</u>
Capitol Restoration, Capitol Complex		\$300,000
		<u>\$696,000</u>

26

27

28

29

30

1		1,100,000	Donations
2		5,385,640	
3		439,000	Proprietary
4		250,000	Capitol Land Grant Revenue
5	DEPARTMENT OF CORRECTIONS & HUMAN SERVICES		
6	Facility Improvements,		
7	Center for the Aged	330,000	
8	Roof Replacements, Corrections		
9	and Human Services	70,000	
10	Facility Improvements,		
11	Montana Developmental Center	644,000	
12	Facility Maintenance, Montana		
13	Veterans' Home	215,952	State Special Revenue
14	Swan River Correctional Training Center		
15	<u>CORRECTIONAL BOOT CAMP</u>		
16	Expansion	560,000	Federal Special Revenue
17	Montana State Prison Expansion	1,500,000	Federal Special Revenue
18	Regional Correctional Facilities	4,000,000	Federal Special Revenue
19	DEPARTMENT OF FAMILY SERVICES		
20	Miscellaneous Improvements, Pine		
21	Hills School	100,000	
22	Lodge Replacement CAMPUS Planning,		
23	Pine Hills School	100,000	
24	<u>MONTANA YOUTH ALTERNATIVES PROGRAM</u>		
25	<u>BOULDER</u>	<u>560,000</u>	
26	DEPARTMENT OF FISH, WILDLIFE & PARKS		
27	Bluewater Hatchery, Phase II	2,500,000	State Special Revenue
28	Ulm Pishkun, Phase I	843,000	State Special Revenue
29		<u>818,000</u>	
30		<u>25,000</u>	<u>STATE SPECIAL REVENUE*</u>

1		<u>220,000</u>	<u>FEDERAL SPECIAL REVENUE</u>
2	Administrative Facilities,		
3	Improvements	569,520	State Special Revenue
4	Makoshika State Park	300,000	State Special Revenue
5		<u>275,000</u>	
6		<u>25,000</u>	<u>STATE SPECIAL REVENUE*</u>
7		100,000	Federal Special Revenue
8	Fish Health Lab	344,000	State Special Revenue
9	Tongue River Reservoir		
10	State Park	500,000	State Special Revenue
11		650,000	Federal Special Revenue
12	Fish Hatchery Maintenance	192,000	State Special Revenue
13	Spring Meadow Wildlife Rehabilitation		
14	and Education Center	600,000	State Special Revenue
15		25,000	Federal Special Revenue
16	Lone Pine Visitor Center	150,000	State Special Revenue
17	Salmon and Placid Lakes		
18	State Park	140,000	State Special Revenue
19		135,000	Federal Special Revenue
20	Whitefish Lake State Park	200,000	State Special Revenue
21		<u>150,000</u>	
22		<u>50,000</u>	<u>STATE SPECIAL REVENUE*</u>
23		200,000	Federal Special Revenue
24	Lake Elmo State Park,		
25	Phase III	150,000	State Special Revenue
26	Cooney Reservoir State Park	250,000	State Special Revenue
27		40,000	Federal Special Revenue
28	DEPARTMENT OF LABOR & INDUSTRY		
29	Repair and Maintenance		
30	Local Job Services, Statewide	110,000	Federal Special Revenue

1	Expand Job Service,		
2	Havre	350,000	Federal Special Revenue
3	Purchase Land for Job Service		
4	Parking, Statewide	156,550	Federal Special Revenue
5	DEPARTMENT OF MILITARY AFFAIRS		
6	Repair STARC Armory HVAC		
7	System, Helena	258,500	
8	Roof Replacements, Statewide	107,000	
9	Construct Billings Armory	42,009,800	Federal Special Revenue
10		<u>14,009,800</u>	
11	Federal Spending Authority	800,000	Federal Special Revenue
12	State Veterans' Cemetery		
13	Phase IV	75,000	State Special Revenue
14		75,000	Federal Special Revenue
15	DEPARTMENT OF STATE LANDS		
16	Maintenance and Improvements,		
17	Statewide	336,400	
18	Construct <u>OR PURCHASE</u> Unit Office, Plains	300,000	
19	DEPARTMENT OF TRANSPORTATION		
20	Repair, Maintenance, and Minor		
21	Construction Projects, Statewide	650,000	Highways State Special Revenue
22	Equipment Storage Buildings, Statewide	1,820,000	Highways State Special Revenue
23	MONTANA UNIVERSITY SYSTEM		
24	Repair Old Main Steam Traps,		
25	UM - Western	55,000	
26	Repair Brockmann Center,		
27	MSU - Northern	200,000	
28		<u>75,000</u>	
29	Museum Elevator,		
30	UM - Montana Tech	350,000	

1	Roof Replacements,		
2	University System	714,700	
3	Life Safety/Code Compliance		
4	University System	500,000	
5	ADA Accessibility Modifications		
6	University System	300,000	
7	Central Heating Plant, Phase II		
8	MSU - Bozeman	2,200,000	Auxiliary
9		<u>2,080,000</u>	
10	Chemistry Building Renovation		
11	UM - Montana Tech	1,509,000	Donations
12	Pharmacy Addition/Renovation		
13	UM - Missoula	2,000,000	Donations
14	Authority Only Projects,		
15	Montana State University	11,375,946	Federal, Trust, Higher Education
16		<u>560,000</u>	Funds, and Donations
17	<u>BIOSCIENCE FACILITY</u>	<u>10,815,946</u>	<u>FEDERAL SPECIAL REVENUE</u>
18	Authority Only Projects,		
19	University of Montana	6,450,000	Federal, Trust, Higher Education
20		<u>450,000</u>	Funds, and Donations
21	STATE BOARD OF EDUCATION		
22	Reshingle Cottage Complex, Montana		
23	School for the Deaf and Blind	120,000	
24	<u>(2) FOR THE CAPITOL RESTORATION PROJECT, THE DEPARTMENT OF ADMINISTRATION IS</u>		
25	<u>AUTHORIZED TO EXPEND PRIVATE DONATIONS, UP TO \$5,385,640, FOR HISTORIC RESTORATION</u>		
26	<u>PROJECTS AND ANY MONTANA POWER COMPANY FUNDING FOR APPROVED ENERGY RETROFITTING</u>		
27	<u>PROJECTS. IF ADDITIONAL FEDERAL SPECIAL REVENUE FROM CTEP FUNDS BECOMES AVAILABLE,</u>		
28	<u>THE DEPARTMENT OF ADMINISTRATION IS AUTHORIZED TO USE THOSE FUNDS FOR CAPITOL</u>		
29	<u>RESTORATION PROJECTS. IF CTEP FUNDS ARE USED FOR INFRASTRUCTURE PROJECTS, A MATCHING</u>		
30	<u>AMOUNT OF BONDING AUTHORITY IN HOUSE BILL NO. 15 MAY BE USED FOR HISTORIC RESTORATION</u>		

1 PROJECTS IN ORDER TO REDUCE THE SPENDING AUTHORITY FOR PRIVATE DONATIONS. IF ANY
2 FEDERAL OR BONDED FUNDING AUTHORIZED FOR THE RESTORATION OF THE CAPITOL BUILDING
3 INFRASTRUCTURE IS NOT NEEDED BECAUSE OF A REDUCTION IN COSTS OF THE APPROVED PROJECT,
4 FUNDING MAY BE USED FOR HISTORIC RESTORATION PROJECTS.

5 (3) THE FUNDING PROVIDED TO THE PROJECTS IN THIS SECTION AND IDENTIFIED BY AN
6 ASTERISK (*) REPRESENTS LODGING FACILITIES USE TAX THAT IS ALLOCATED TO THE DEPARTMENT
7 OF FISH, WILDLIFE, AND PARKS AND THAT IS STATUTORILY APPROPRIATED UNDER 15-65-121 FOR
8 MAINTENANCE OF FACILITIES IN STATE PARKS. IT IS NOT INTENDED FOR THE PROJECT TO BE
9 REDUCED BY THIS AMOUNT.

10 (4) IT IS THE INTENT OF THE LONG-RANGE PLANNING SUBCOMMITTEE THAT THE \$625,000
11 APPROPRIATED FOR THE SPRING MEADOW WILDLIFE REHABILITATION AND EDUCATION CENTER
12 PROJECT BE USED TO TRANSFER THE ANIMAL SHELTER FROM ITS EXISTING LOCATION TO THE
13 SPRING MEADOW COMPLEX UPON AN AGREEMENT BETWEEN THE DEPARTMENT OF FISH, WILDLIFE,
14 AND PARKS AND THE DONOR GROUP FOR THE TRANSFER OF THE SPRING MEADOW PROPERTY AND
15 FOR THE PLANNING OF ADDITIONAL PHASES OF THE PROJECT. IT IS NOT THE INTENT OF THE
16 SUBCOMMITTEE TO ENCUMBER ANY FUTURE LEGISLATURE WITH REGARD TO ADDITIONAL PHASES
17 OF THE PROJECT. THE PROJECT APPROVED IN [THIS ACT] IS TO BE A STAND-ALONE PROJECT.

18
19 **NEW SECTION. Section 3. Land acquisition appropriation.** The following money is appropriated
20 to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land
21 leasing, easement purchase, or development agreement:

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
Habitat Montana	\$4,600,000	State Special Revenue
Fishing Access Site	800,000	State Special Revenue
Bighorn Sheep Program	652,720	State Special Revenue
BPA Mitigation	1,000,000	Federal Special Revenue

27
28 **NEW SECTION. Section 4. River restoration.** The following money is appropriated to the
29 department of fish, wildlife, and parks in the indicated amounts for river restoration:

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
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1	River Restoration	\$ 290,000	State Special Revenue
2	Tongue River Restoration	1,100,000	State Special Revenue

4 NEW SECTION. Section 5. Dams. (1) The following money is appropriated to the department of
5 fish, wildlife, and parks in the indicated amounts for the following dams:

<u>6</u>	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
7	South Sandstone Dam Repair	\$ 250,000	State Special Revenue
8		<u>\$264,000</u>	
9	Ringy Dingy Dam Repair	50,000	State Special Revenue

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

21 **NEW SECTION.** **Section 6. Capital improvements.** (1) The following money is appropriated to the
22 department of transportation in the indicated amounts for the purpose of making capital improvements to
23 statewide facilities:

24	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
25	Repair, Maintenance, and Minor		
26	Construction Projects for Highways,		
27	Statewide	\$250,000	State Special Revenue
28		<u>\$830,000</u>	
29	Maintenance and Minor Construction		
30	Projects for Aeronautics. Statewide	50,000	State Special Revenue

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
3 Wildlife Habitat Maintenance	\$227,000	State Special Revenue
4	<u>\$377,000</u>	
5		
6 Property Development	165,000	State Special Revenue
7 Fishing Access Protection,		
8 Statewide	625,000	State Special Revenue
9	375,000	Federal Special Revenue
10 Waterfowl Stamp Program	185,000	State Special Revenue
11 Statewide Road Improvements	<u>1,000,000</u>	State Special Revenue
12	<u>1,150,000</u>	
13 Miles City Hatchery Pond	110,000	State Special Revenue
14 Thompson Chain of Lakes		
15 Fishing Access Site	200,000	State Special Revenue
16 Boat "In Lieu" Regional Projects	400,000	State Special Revenue

17 (3) The following money is appropriated to the department of natural resources and conservation
18 in the indicated amounts for the purpose of the inspection, study, and renovation of dams:

19	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
20	Tongue River Dam Rehabilitation	<u>\$ 3,275,000</u>	State Special Revenue
21		<u>\$3,500,000</u>	
22		<u>30,465,000</u>	Federal Special Revenue
23		<u>31,865,000</u>	
24		<u>11,001,000</u>	Tribal Loan
25	Petrolia Dam Rehabilitation	1,076,000	State Special Revenue
26	<u>Nevada Creek Dam Study</u>	<u>360,000</u>	<u>State Special Revenue</u>
27	Ruby River Dam Study	480,000	State Special Revenue

28 (4) FOR THE APPROPRIATION FOR THE PETROLIA DAM REHABILITATION, THE LEGISLATURE
29 FINDS THAT THE PROJECT IS IN NEED OF COSTLY REPAIRS IF OPERATION OF THE PROJECT IS TO
30 CONTINUE AND THAT IT IS FINANCIALLY UNSOUND FOR THE STATE TO CONTINUE TO OWN THE



1 PROJECT. ANY BENEFITS TO THE PUBLIC ACCRUING FROM CONTINUED STATE OWNERSHIP ARE
2 OUTWEIGHED BY THE COST OF REPAIRS AND CONTINUED MAINTENANCE. THE LEGISLATURE FINDS
3 THAT THE USEFUL LIFE OF THE PROJECT AS A STATE-OWNED WATER PROJECT IS AT AN END. THE
4 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION IS DIRECTED TO ENTER INTO AN
5 AGREEMENT FOR THE PROJECT'S DISPOSITION TO THE PETROLIA WATER USERS' ASSOCIATION. THE
6 MONEY APPROPRIATED IN THIS SECTION IS CONTINGENT UPON THE PETROLIA WATER USERS'
7 ASSOCIATION EXECUTION OF A VALID AGREEMENT TO ACCEPT OWNERSHIP OF ALL PROPERTY
8 RIGHTS AND LIABILITIES ASSOCIATED WITH THE PROJECT.

9 ~~(4)~~(5) The following money is appropriated to Montana state university in the indicated amount for
10 the purpose of making capital improvements to campus facilities:

11 <u>Agency/Project</u>	12 <u>LRBP</u>	13 <u>Other Funding Sources</u>
14 Authority Only Projects,		
15 Montana State University	\$200,000	Federal, Trust, Higher Education
		Funds, and Donations

15 ~~(5)~~(6) The following money is appropriated to the university of Montana in the indicated amount
16 for the purpose of making capital improvements to campus facilities:

17 <u>Agency/Project</u>	18 <u>LRBP</u>	19 <u>Other Funding Sources</u>
20 Authority Only Projects,		
21 University of Montana	\$900,000	Federal, Trust, Higher Education
		Funds, and Donations

22 NEW SECTION. SECTION 7. TRANSFER OF FUNDS. THE DEPARTMENT OF FISH, WILDLIFE, AND
23 PARKS IS AUTHORIZED TO TRANSFER MONEY APPROPRIATED IN [THIS ACT] AMONG FUND TYPES.

25 NEW SECTION. Section 8. Planning and design. The department of administration may proceed
26 with the planning and design of capital projects prior to the receipt of other funding sources. The
27 department may use interaccount loans in accordance with 17-2-107 to pay planning and design costs
28 incurred prior to the receipt of other funding sources.

29
30 NEW SECTION. Section 9. Capital projects -- contingent funds. If a capital project is financed in

1 whole or in part with appropriations contingent upon the receipt of other funding sources, the department
2 of administration may not let the projects for bid until the agency has submitted a financial plan for approval
3 by the director of the department of administration. A financial plan may not be approved by the director
4 if:

5 (1) the level of funding provided under the financial plan deviates substantially from the funding
6 level provided in [sections 1 through 6] for that project; or

7 (2) the scope of the project is substantially altered or revised from the preliminary plans presented
8 for that project in the 1996-97 long-range building program presented to the 54th legislature.

9

10 **NEW SECTION. Section 10. Legislative consent.** The appropriations authorized in [sections 1
11 through 8 9] constitute legislative consent for the capital projects contained in [sections 1 through 8 9]
12 within the meaning of 18-2-102.

13

14 **NEW SECTION. SECTION 11. MAINTENANCE FOR STATE BUILDINGS.** (1) SUBJECT TO
15 LEGISLATIVE DETERMINATION AS PROVIDED IN SUBSECTION (2), A MAJOR CAPITAL PROJECT
16 APPROPRIATION BY THE LEGISLATURE MAY INCLUDE AN AMOUNT FOR MAINTENANCE AS A PART OF
17 THE APPROPRIATION. THE AMOUNT APPROPRIATED FOR MAINTENANCE MUST BE DEPOSITED IN THE
18 LONG-RANGE BUILDING ACCOUNT FOR USE IN FUTURE MAINTENANCE.

19 (2) A STATE BUILDING RECOMMENDED FOR CONSTRUCTION IN THE REPORT TO THE
20 LEGISLATURE REQUIRED BY 17-7-203 MAY ALSO BE RECOMMENDED AS APPROPRIATE FOR THE
21 INCLUSION OF AN AMOUNT FOR MAINTENANCE. FOR THOSE BUILDINGS RECOMMENDED FOR
22 CONSTRUCTION, THE LEGISLATURE MAY ALLOCATE AN AMOUNT NOT TO EXCEED 2% OF THE
23 APPROPRIATED COST FOR USE IN MAINTENANCE.

24 (3) THIS SECTION DOES NOT PRECLUDE ADDITIONAL FUNDS, INCLUDING SEPARATE
25 APPROPRIATIONS, DONATIONS, GRANTS, OR OTHER AVAILABLE FUNDS, FROM BEING USED FOR THE
26 CONSTRUCTION OR MAINTENANCE OF STATE BUILDINGS.

27

28 **NEW SECTION. SECTION 12. PERCENT-FOR-ART.** THE ARCHITECTURE AND ENGINEERING
29 DIVISION OF THE DEPARTMENT OF ADMINISTRATION IS DIRECTED TO MINIMIZE THE ALLOCATION OF
30 FUNDS FOR THE ACQUISITION OF WORKS OF ART, AS PROVIDED IN TITLE 22, CHAPTER 2, PART 4,

1 FOR CAPITAL PROJECTS APPROVED BY THE 1995 LEGISLATURE.

2

3 NEW SECTION. SECTION 13. CODIFICATION INSTRUCTION. [SECTION 11] IS INTENDED TO
4 BE CODIFIED AS AN INTEGRAL PART OF TITLE 17, CHAPTER 7, PART 2, AND THE PROVISIONS OF TITLE
5 17, CHAPTER 7, PART 2, APPLY TO [SECTION 11].

6

7 NEW SECTION. SECTION 14. REPEALER. SECTION 23, CHAPTER 624, LAWS OF 1993, IS
8 REPEALED.

9

10 NEW SECTION. Section 15. Severability. If a part of [this act] is invalid, all valid parts that are
11 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
12 applications, the part remains in effect in all valid applications that are severable from the invalid
13 applications.

14

15 NEW SECTION. Section 16. Effective date. [This act] is effective on passage and approval.

16

-END-

1

HOUSE BILL NO. 5

2

INTRODUCED BY BERGSAGEL

3

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE
6 BIENNIAL ENDING JUNE 30, 1997; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS;
7 PROVIDING FOR AN ALLOWANCE FOR MAINTENANCE BASED UPON A PERCENTAGE OF
8 CONSTRUCTION COST; REPEALING SECTION 23, CHAPTER 624, LAWS OF 1993; AND PROVIDING AN
9 IMMEDIATE EFFECTIVE DATE."

10

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

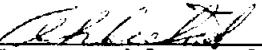
THERE ARE NO CHANGES IN THIS BILL AND IT WILL
NOT BE REPRINTED. PLEASE REFER TO SECOND
READING COPY (YELLOW) FOR COMPLETE TEXT.

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 4, 1995

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration HB 5 (third reading copy -- blue), respectfully report that HB 5 be amended as follows and as so amended be concurred in.

Signed: 
Senator Gary Aklestad, Chair

That such amendments read:

1. Page 7, following line 9.
Insert: "Bearpaw Dam Upgrade
Revenue" \$210,000 State Special
2. Page 5, following line 20.
Insert: "Pharmacy/Psychology Building Addition
10,400,000 Federal and Donations"

The Legislature appropriated \$275,000 (\$68,750 State Special and \$206,250 Federal Special Revenue) to the Department of Fish, Wildlife and Parks to upgrade the Bearpaw Dam. Due to an increase in engineering costs, however, an additional \$210,000 is need to complete the project.

-END-

HB 5


Amd. Coord.
Sec. of Senate

Harding
Senator Carrying Bill

SENATE

771533SC.SRF

SENATE COMMITTEE OF THE WHOLE AMENDMENT

April 6, 1995 11:15 am

Mr. Chairman: I move to amend HB 5 (third reading copy -- blue).

ADOPT
43-7

REJECT

Signed: Keating
Senator Keating

That such amendments read:

1. Page 4.

Following: line 30

Insert: "Replacement of Primary Electrical Distribution System
MSU-Billings"

"1,487,500" (LRBP) "262,500 Auxiliary"

The purpose of this amendment is to provide funding and authorization for the replacement of an electrical distribution system that is currently in violation of national electrical codes. As it exists, the system poses an imminent safety hazard to MSU employees. The current distribution system is unreliable and on the verge of complete failure, which would result in loss of electrical power and heating for the entire campus. This is the next maintenance project on the Board of Regents' priority list.

-END-

HB 5

✓

Amd. Coord.

SENATE

791114CW.SPV

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 **NEW SECTION.** **Section 1. Definitions.** For the purposes of [sections 1 through ~~9~~ 12], unless
14 otherwise stated, the following definitions apply:

15 (1) "Capital project" means the acquisition of land or improvements or the planning, capital
16 construction, renovation, furnishing, or major repair projects authorized in [sections 1 through 9 12].

17 (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 the law.

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

25	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
26	DEPARTMENT OF ADMINISTRATION		
27	ADA Accessibility Modifications,		
28	Capitol Complex	\$100,000	<u>\$100,000</u> <u>PROPRIETARY</u>
29	Capitol Restoration, Capitol Complex		\$300,000 <u>Federal Special Revenue</u>
30			\$696,000



1		1,100,000	Donations
2		<u>5,385,640</u>	
3		439,000	Proprietary
4		250,000	Capitol Land Grant Revenue
5	DEPARTMENT OF CORRECTIONS & HUMAN SERVICES		
6	Facility Improvements,		
7	Center for the Aged	330,000	
8	Roof Replacements, Corrections		
9	and Human Services	70,000	
10	Facility Improvements,		
11	Montana Developmental Center	644,000	
12	Facility Maintenance, Montana		
13	Veterans' Home	215,952	State Special Revenue
14	Swan River Correctional Training Center		
15	<u>CORRECTIONAL BOOT CAMP</u>		
16	Expansion	560,000	Federal Special Revenue
17	Montana State Prison Expansion	1,500,000	Federal Special Revenue
18	Regional Correctional Facilities	4,000,000	Federal Special Revenue
19	DEPARTMENT OF FAMILY SERVICES		
20	Miscellaneous Improvements, Pine		
21	Hills School	100,000	
22	Lodge Replacement CAMPUS Planning,		
23	Pine Hills School	100,000	
24	<u>MONTANA YOUTH ALTERNATIVES PROGRAM</u>		
25	<u>BOULDER</u>	<u>560,000</u>	
26	DEPARTMENT OF FISH, WILDLIFE & PARKS		
27	Bluewater Hatchery, Phase II	2,500,000	State Special Revenue
28	Ulm Pishkun, Phase I	843,000	State Special Revenue
29		<u>818,000</u>	
30		<u>25,000</u>	<u>STATE SPECIAL REVENUE*</u>

1		<u>220,000</u>	<u>FEDERAL SPECIAL REVENUE</u>
2	Administrative Facilities,		
3	Improvements	569,520	State Special Revenue
4	Makoshika State Park	300,000	State Special Revenue
5		<u>275,000</u>	
6		<u>25,000</u>	<u>STATE SPECIAL REVENUE*</u>
7		100,000	Federal Special Revenue
8	Fish Health Lab	344,000	State Special Revenue
9	Tongue River Reservoir		
10	State Park	500,000	State Special Revenue
11		650,000	Federal Special Revenue
12	Fish Hatchery Maintenance	192,000	State Special Revenue
13	Spring Meadow Wildlife Rehabilitation		
14	and Education Center	600,000	State Special Revenue
15		25,000	Federal Special Revenue
16	<u>Lone Pine Visitor Center</u>	<u>150,000</u>	<u>State Special Revenue</u>
17	Salmon and Placid Lakes		
18	State Park	140,000	State Special Revenue
19		135,000	Federal Special Revenue
20	Whitefish Lake State Park	200,000	State Special Revenue
21		<u>150,000</u>	
22		<u>50,000</u>	<u>STATE SPECIAL REVENUE*</u>
23		200,000	Federal Special Revenue
24	Lake Elmo State Park,		
25	Phase III	150,000	State Special Revenue
26	Cooney Reservoir State Park	250,000	State Special Revenue
27		40,000	Federal Special Revenue
28	DEPARTMENT OF LABOR & INDUSTRY		
29	Repair and Maintenance		
30	Local Job Services, Statewide	110,000	Federal Special Revenue

1	Expand Job Service,		
2	<u>Havre</u>	350,000	Federal Special Revenue
3	Purchase Land for Job Service		
4	Parking, Statewide	156,550	Federal Special Revenue
5	DEPARTMENT OF MILITARY AFFAIRS		
6	Repair STARC Armory HVAC		
7	System, Helena	258,500	
8	Roof Replacements, Statewide	107,000	
9	Construct Billings Armory	12,009,800	Federal Special Revenue
10		<u>14,009,800</u>	
11	Federal Spending Authority	800,000	Federal Special Revenue
12	State Veterans' Cemetery		
13	Phase IV	75,000	State Special Revenue
14		75,000	Federal Special Revenue
15	DEPARTMENT OF STATE LANDS		
16	Maintenance and Improvements,		
17	Statewide	336,400	
18	Construct <u>OR PURCHASE</u> Unit Office, Plains	300,000	
19	DEPARTMENT OF TRANSPORTATION		
20	Repair, Maintenance, and Minor		
21	Construction Projects, Statewide	650,000	Highways State Special Revenue
22	Equipment Storage Buildings, Statewide	1,820,000	Highways State Special Revenue
23	MONTANA UNIVERSITY SYSTEM		
24	Repair Old Main Steam Traps,		
25	UM - Western	55,000	
26	Repair Brockmann Center,		
27	MSU - Northern	200,000	
28		<u>75,000</u>	
29	Museum Elevator,		
30	UM - Montana Tech	350,000	

1	<u>REPLACEMENT OF PRIMARY ELECTRICAL</u>		
2	<u>DISTRIBUTION SYSTEM</u>		
3	<u>MSU - BILLINGS</u>	<u>1,487,500</u>	<u>262,500</u> <u>AUXILIARY</u>
4	Roof Replacements,		
5	University System	714,700	
6	Life Safety/Code Compliance		
7	University System	500,000	
8	ADA Accessibility Modifications		
9	University System	300,000	
10	Central Heating Plant, Phase II		
11	MSU - Bozeman	2,200,000	Auxiliary
12		<u>2,080,000</u>	
13	Chemistry Building Renovation		
14	UM - Montana Tech	1,509,000	Donations
15	<u>Pharmacy Addition/Renovation</u>		
16	<u>UM - Missoula</u>	2,000,000	Donations
17	Authority Only Projects,		
18	Montana State University	<u>11,375,946</u>	Federal, Trust, Higher Education
19		<u>560,000</u>	Funds, and Donations
20	<u>BIOSCIENCE FACILITY</u>	<u>10,815,946</u>	<u>FEDERAL SPECIAL REVENUE</u>
21	Authority Only Projects,		
22	University of Montana	6,450,000	Federal, Trust, Higher Education
23		<u>450,000</u>	Funds, and Donations
24	<u>PHARMACY/PSYCHOLOGY BUILDING ADDITION</u>	<u>10,400,000</u>	<u>FEDERAL AND DONATIONS</u>
25	STATE BOARD OF EDUCATION		
26	Reshingle Cottage Complex, Montana		
27	School for the Deaf and Blind	120,000	
28	<u>(2) FOR THE CAPITOL RESTORATION PROJECT, THE DEPARTMENT OF ADMINISTRATION IS</u>		
29	<u>AUTHORIZED TO EXPEND PRIVATE DONATIONS, UP TO \$5,385,640, FOR HISTORIC RESTORATION</u>		
30	<u>PROJECTS AND ANY MONTANA POWER COMPANY FUNDING FOR APPROVED ENERGY RETROFITTING</u>		

1 PROJECTS. IF ADDITIONAL FEDERAL SPECIAL REVENUE FROM CTEP FUNDS BECOMES AVAILABLE,
2 THE DEPARTMENT OF ADMINISTRATION IS AUTHORIZED TO USE THOSE FUNDS FOR CAPITOL
3 RESTORATION PROJECTS. IF CTEP FUNDS ARE USED FOR INFRASTRUCTURE PROJECTS, A MATCHING
4 AMOUNT OF BONDING AUTHORITY IN HOUSE BILL NO. 15 MAY BE USED FOR HISTORIC RESTORATION
5 PROJECTS IN ORDER TO REDUCE THE SPENDING AUTHORITY FOR PRIVATE DONATIONS. IF ANY
6 FEDERAL OR BONDED FUNDING AUTHORIZED FOR THE RESTORATION OF THE CAPITOL BUILDING
7 INFRASTRUCTURE IS NOT NEEDED BECAUSE OF A REDUCTION IN COSTS OF THE APPROVED PROJECT,
8 FUNDING MAY BE USED FOR HISTORIC RESTORATION PROJECTS.

9 (3) THE FUNDING PROVIDED TO THE PROJECTS IN THIS SECTION AND IDENTIFIED BY AN
10 ASTERISK (*) REPRESENTS LODGING FACILITIES USE TAX THAT IS ALLOCATED TO THE DEPARTMENT
11 OF FISH, WILDLIFE, AND PARKS AND THAT IS STATUTORILY APPROPRIATED UNDER 15-65-121 FOR
12 MAINTENANCE OF FACILITIES IN STATE PARKS. IT IS NOT INTENDED FOR THE PROJECT TO BE
13 REDUCED BY THIS AMOUNT.

14 (4) IT IS THE INTENT OF THE LONG-RANGE PLANNING SUBCOMMITTEE THAT THE \$625,000
15 APPROPRIATED FOR THE SPRING MEADOW WILDLIFE REHABILITATION AND EDUCATION CENTER
16 PROJECT BE USED TO TRANSFER THE ANIMAL SHELTER FROM ITS EXISTING LOCATION TO THE
17 SPRING MEADOW COMPLEX UPON AN AGREEMENT BETWEEN THE DEPARTMENT OF FISH, WILDLIFE,
18 AND PARKS AND THE DONOR GROUP FOR THE TRANSFER OF THE SPRING MEADOW PROPERTY AND
19 FOR THE PLANNING OF ADDITIONAL PHASES OF THE PROJECT. IT IS NOT THE INTENT OF THE
20 SUBCOMMITTEE TO ENCUMBER ANY FUTURE LEGISLATURE WITH REGARD TO ADDITIONAL PHASES
21 OF THE PROJECT. THE PROJECT APPROVED IN [THIS ACT] IS TO BE A STAND-ALONE PROJECT.

22
23 NEW SECTION. Section 3. Land acquisition appropriation. The following money is appropriated
24 to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land
25 leasing, easement purchase, or development agreement:

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
Habitat Montana	\$4,600,000	State Special Revenue
Fishing Access Site	800,000	State Special Revenue
Bighorn Sheep Program	652,720	State Special Revenue
BPA Mitigation	1,000,000	Federal Special Revenue

1 **NEW SECTION. Section 4. River restoration.** The following money is appropriated to the
2 department of fish, wildlife, and parks in the indicated amounts for river restoration:

3 <u>Agency/Project</u>	4 <u>LRBP</u>	5 <u>Other Funding Sources</u>
River Restoration	\$ 290,000	State Special Revenue
Tongue River Restoration	1,100,000	State Special Revenue

6
7 **NEW SECTION. Section 5. Dams.** (1) The following money is appropriated to the department of
8 fish, wildlife, and parks in the indicated amounts for the following dams:

9 <u>Agency/Project</u>	10 <u>LRBP</u>	11 <u>Other Funding Sources</u>
South Sandstone Dam Repair	\$ 250,000	State Special Revenue
	<u>\$ 264,000</u>	
Ringy Dingy Dam Repair	50,000	State Special Revenue
<u>BEARPAW DAM UPGRADE</u>	<u>210,000</u>	<u>STATE SPECIAL REVENUE</u>

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

14 (3) FUNDS APPROPRIATED FOR THE SOUTH SANDSTONE DAM ARE CONTINGENT UPON THE
15 DEPARTMENT OF FISH, WILDLIFE, AND PARKS DISPOSING OF ITS OWNERSHIP AND LIABILITY
16 RESPONSIBILITY OF THE PROPERTY ON WHICH THE SOUTH SANDSTONE DAM IS LOCATED. THE
17 TRANSFER OF OWNERSHIP SHOULD INCLUDE CONTINUED PUBLIC RECREATIONAL ACCESS. THE
18 DEPARTMENT IS AUTHORIZED TO MAKE THE REPAIRS OR MAY PASS THE FUNDS THROUGH TO THE
19 NEW OWNER TO REIMBURSE PROJECT EXPENSES. IF FUNDS REMAIN AFTER COMPLETION OF THE
20 PROJECT, THE DEPARTMENT IS AUTHORIZED TO ESTABLISH AN OPERATIONS AND MAINTENANCE
21 ACCOUNT FOR THE PROJECT.

22
23 **NEW SECTION. Section 6. Capital improvements.** (1) The following money is appropriated to the
24 department of transportation in the indicated amounts for the purpose of making capital improvements to
25 statewide facilities:

26 <u>Agency/Project</u>	27 <u>LRBP</u>	28 <u>Other Funding Sources</u>
Repair, Maintenance, and Minor		
Construction Projects for Highways,		

1	Statewide	\$250,000	State Special Revenue
2		<u>\$830,000</u>	

3 Maintenance and Minor Construction

4	Projects for Aeronautics, Statewide	50,000	State Special Revenue
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5 (2) The following money is appropriated to the department of fish, wildlife, and parks in the
6 indicated amounts for the purpose of making capital improvements to statewide facilities:

7	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
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8	Wildlife Habitat Maintenance	\$227,000	State Special Revenue
9		<u>\$377,000</u>	

10	Property Development	165,000	State Special Revenue
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11	Fishing Access Protection,	625,000	State Special Revenue
12	Statewide	375,000	Federal Special Revenue

14	Waterfowl Stamp Program	185,000	State Special Revenue
15	Statewide Road Improvements	1,000,000	State Special Revenue
16		<u>1,150,000</u>	

17	Miles City Hatchery Pond	110,000	State Special Revenue
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18	Thompson Chain of Lakes	200,000	State Special Revenue
19	Fishing Access Site	400,000	State Special Revenue

20	Boat "In Lieu" Regional Projects	400,000	State Special Revenue
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21 (3) The following money is appropriated to the department of natural resources and conservation
22 in the indicated amounts for the purpose of the inspection, study, and renovation of dams:

23	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
----	-----------------------	-------------	------------------------------

24	Tongue River Dam Rehabilitation	\$3,275,000	State Special Revenue
25		<u>\$3,500,000</u>	

26		30,465,000	Federal Special Revenue
27		<u>31,865,000</u>	

28		41,001,000	Tribal Loan
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29	Petrolia Dam Rehabilitation	1,076,000	State Special Revenue
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30	Nevada Creek Dam Study	360,000	State Special Revenue
----	------------------------	---------	-----------------------

1 Ruby River Dam Study 480,000 State Special Revenue

13 (4)(5) The following money is appropriated to Montana state university in the indicated amount for
14 the purpose of making capital improvements to campus facilities:

15 Agency/Project **LRBP** **Other Funding Sources**

16 Authority Only Projects,

LRBP

Other Funding Sources

17 Montana State University

21 Agency/Project LRBP Other Funding Sources

22 Authority Only Projects,

LRBP

Other Funding Sources

23 University of Montana

\$900,000

Federal, Trust, Higher Education Funds, and Donations

26 NEW SECTION. SECTION 7. TRANSFER OF FUNDS. THE DEPARTMENT OF FISH, WILDLIFE, AND
27 PARKS IS AUTHORIZED TO TRANSFER MONEY APPROPRIATED IN [THIS ACT] AMONG FUND TYPES.

29 **NEW SECTION.** Section 8. Planning and design. The department of administration may proceed
30 with the planning and design of capital projects prior to the receipt of other funding sources. The



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

3

4 **NEW SECTION. Section 9. 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
6 of administration may not let the projects for bid until the agency has submitted a financial plan for approval
7 by the director of the department of administration. A financial plan may not be approved by the director
8 if:

9 (1) the level of funding provided under the financial plan deviates substantially from the funding
10 level provided in [sections 1 through 6] for that project; or

11 (2) the scope of the project is substantially altered or revised from the preliminary plans presented
12 for that project in the 1996-97 long-range building program presented to the 54th legislature.

13

14 **NEW SECTION. Section 10. Legislative consent.** The appropriations authorized in [sections 1
15 through 8 9] constitute legislative consent for the capital projects contained in [sections 1 through 8 9]
16 within the meaning of 18-2-102.

17

18 **NEW SECTION. SECTION 11. MAINTENANCE FOR STATE BUILDINGS.** (1) SUBJECT TO
19 LEGISLATIVE DETERMINATION AS PROVIDED IN SUBSECTION (2), A MAJOR CAPITAL PROJECT
20 APPROPRIATION BY THE LEGISLATURE MAY INCLUDE AN AMOUNT FOR MAINTENANCE AS A PART OF
21 THE APPROPRIATION. THE AMOUNT APPROPRIATED FOR MAINTENANCE MUST BE DEPOSITED IN THE
22 LONG-RANGE BUILDING ACCOUNT FOR USE IN FUTURE MAINTENANCE.

23 (2) A STATE BUILDING RECOMMENDED FOR CONSTRUCTION IN THE REPORT TO THE
24 LEGISLATURE REQUIRED BY 17-7-203 MAY ALSO BE RECOMMENDED AS APPROPRIATE FOR THE
25 INCLUSION OF AN AMOUNT FOR MAINTENANCE. FOR THOSE BUILDINGS RECOMMENDED FOR
26 CONSTRUCTION, THE LEGISLATURE MAY ALLOCATE AN AMOUNT NOT TO EXCEED 2% OF THE
27 APPROPRIATED COST FOR USE IN MAINTENANCE.

28 (3) THIS SECTION DOES NOT PRECLUDE ADDITIONAL FUNDS, INCLUDING SEPARATE
29 APPROPRIATIONS, DONATIONS, GRANTS, OR OTHER AVAILABLE FUNDS, FROM BEING USED FOR THE
30 CONSTRUCTION OR MAINTENANCE OF STATE BUILDINGS.

1 NEW SECTION. SECTION 12. PERCENT-FOR-ART. THE ARCHITECTURE AND ENGINEERING
2 DIVISION OF THE DEPARTMENT OF ADMINISTRATION IS DIRECTED TO MINIMIZE THE ALLOCATION OF
3 FUNDS FOR THE ACQUISITION OF WORKS OF ART, AS PROVIDED IN TITLE 22, CHAPTER 2, PART 4,
4 FOR CAPITAL PROJECTS APPROVED BY THE 1995 LEGISLATURE.

5

6 NEW SECTION. SECTION 13. CODIFICATION INSTRUCTION. [SECTION 11] IS INTENDED TO
7 BE CODIFIED AS AN INTEGRAL PART OF TITLE 17, CHAPTER 7, PART 2, AND THE PROVISIONS OF TITLE
8 17, CHAPTER 7, PART 2, APPLY TO [SECTION 11].

9

10 NEW SECTION. SECTION 14. REPEALER. SECTION 23, CHAPTER 624, LAWS OF 1993, IS
11 REPEALED.

12

13 NEW SECTION. Section 15. Severability. If a part of [this act] is invalid, all valid parts that are
14 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
15 applications, the part remains in effect in all valid applications that are severable from the invalid
16 applications.

17

18 NEW SECTION. Section 16. Effective date. [This act] is effective on passage and approval.

19

-END-



FREE CONFERENCE COMMITTEE

on House Bill 5

Report No. 1, April 12, 1995

Page 1 of 4

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 5** and recommend as following amendments:

1. Title, line 7.

Following line 6.

Insert: "APPROPRIATING \$3.5 MILLION IN GENERAL FUND MONEY FOR SCHOOL FACILITIES;"

2. Page 1, lines 13 and 16.

Strike: "12"

Insert: "13"

3. Page 2, following line 4.

Insert:

"	Scagliola Repair and Restoration	<u>LRBP</u>
		275,400"

The purpose of this amendment is to provide authorization and \$275,400 in funding from the long-range building program account for the repair and restoration of the scagliola columns located in the Capitol Building. This restoration is to be executed as part of the overall Capitol Restoration Project.

4. Page 2, following line 4.

Insert: "Roof Replacements, Statewide	<u>LRBP</u>
	350,000"

The purpose of this amendment is to appropriate \$350,000 to be used for roof replacement projects on a priority basis, as determined by the Architecture and Engineering staff.

5. Page 2, following line 4.

Insert: "Code Compliance, Health and Safety Projects, Statewide	<u>LRBP</u>
	350,000"

The purpose of this amendment is to appropriate \$350,000 to be used for code compliance,

ADOPT

REJECT

HB 5
FCCR#1
841220CC.Hbk

and health and safety projects on a priority basis, as determined by the Architecture and Engineering staff.

6. Page 2, following line 4.

LRBP

Insert: "Upgrade Electrical Systems, Capitol Complex" 200,000"

This amendment appropriates \$200,000 to be used for the upgrade of electrical systems on the Capitol Complex, as determined by the Architecture and Engineering staff.

7. Page 2, following line 4.

LRBP

Insert: "Emergency Projects, Statewide" 379,000"

This appropriation is to be used by the Architecture and Engineering Division to fund emergency maintenance and capital projects statewide.

8. Page 2, lines 8 and 9.

Strike: Lines 8 and 9 in their entirety.

The purpose of this amendment is to remove the roof replacement projects at the Montana State Hospital in Warm Springs, totalling \$70,000 in long-range building program funds. Due to the passage of House Bill No. 594, which authorizes the construction of a new Montana State Hospital, the roof replacements are no longer necessary.

9. Page 2, following line 18.

LRBP

Insert: "Building Demolition and Asbestos Removal,
Montana State Hospital" 100,000"

The purpose of this amendment is to provide authorization and funding for projects on the Montana State Hospital campus in Warm Springs, that include building demolition and asbestos removal. It is intended that inmate labor be used in these projects, especially for the purpose of training inmates to perform asbestos removal.

10. Page 2, line 21.

Strike: "100,000"

Insert: "180,000"

The purpose of this amendment is to increase the funding for "Miscellaneous Improvement"

projects at the Pine Hills School.

11. Page 5, line 3.

Strike: "1,487,500" 262,500 AUXILIARY"
Insert: "300,000"

This amendment reduces the funding for the Replacement of Primary Electrical Distribution System project at MSU - Billings. Although this project represents the next priority on the Board of Regents' priority listing for projects requiring funding from the long-range building program account, it does not represent the next overall priority for projects to be funded from the LRBP account as determined by the Architecture and Engineering Division staff.

12. Page 9, following line 27.

Insert: "**NEW SECTION. Section 8. State advances and reimbursements for school facilities -- general fund appropriations.** There is appropriated to the office of public instruction from the general fund \$1.5 million for the school fiscal year ending June 30, 1996, and \$2 million for the school fiscal year ending June 30, 1997, to pay for state advances and reimbursements for school facilities in accordance with the provisions of House Bill No. 416. The appropriation and authorization provided in [this section] are contingent on passage and approval of House Bill No. 416."

Renumber: subsequent sections

13. Page 10, line 15.

Strike: "9" in two places
Insert: "10" in two places

14. Page 11, following line 4.

Insert: "**NEW SECTION. Section 14. Coordination instruction.** (1) If [this act] and House Bill No. 349 are both passed and approved, the amounts appropriated for the Bluewater hatchery in [section 2 of this act] and for the Tongue River restoration and river restoration in [section 4 of this act] are appropriated according to the provisions of House Bill No. 349, except that the department of fish, wildlife, and parks may spend up to \$250,000 of the funds identified in [section 3(2)] of House Bill No. 349 from the Bluewater hatchery, and an additional \$250,000 from the department's general license account, to contain, control, and mitigate whirling disease in Montana's waterways. [This act] controls as to any conflicts with the allocation of funds in [section 3(2)] of House Bill No. 349.

(2) If [this act] and House Bill No. 512 are both passed and approved, the amounts appropriated for fishing access site acquisition in [section 3] of [this act] are allocated

April 12, 1995
Page 4 of 4

according to the provisions of House Bill No. 512."

Renumber: subsequent sections.

15. Page 11, lines 6 and 8.

Strike: "11"

Insert: "12"

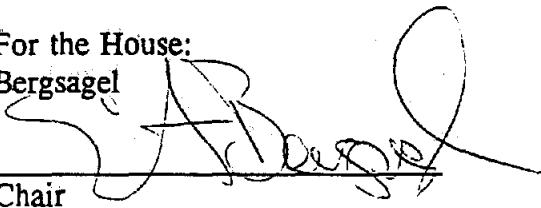
We recommend that the amendments considered above to House Bill 5 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Bergsagel

Chair
Grady



Ed Grady
McCann



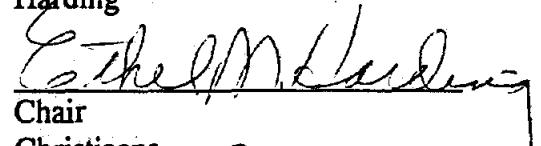
Matt McCan



For the Senate:

Harding

Chair
Christiaens



Beck



Chris Christiaens
Beck



1 HOUSE BILL NO. 5

2 INTRODUCED BY BERGSAGEL

3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE
6 BIENNIAL ENDING JUNE 30, 1997; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS;
7 APPROPRIATING \$3.5 MILLION IN GENERAL FUND MONEY FOR SCHOOL FACILITIES; PROVIDING FOR
8 AN ALLOWANCE FOR MAINTENANCE BASED UPON A PERCENTAGE OF CONSTRUCTION COST;
9 REPEALING SECTION 23, CHAPTER 624, LAWS OF 1993; AND PROVIDING AN IMMEDIATE EFFECTIVE
10 DATE."

11

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

13

14 NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 8 12 13], unless
15 otherwise stated, the following definitions apply:16 (1) "Capital project" means the acquisition of land or improvements or the planning, capital
17 construction, renovation, furnishing, or major repair projects authorized in [sections 1 through 8 12 13].

18 (2) "LRBP" means the long-range building program account in the capital projects fund type.

19 (3) "Other funding sources" means money other than LRBP money, including special revenue fund
20 money, that accrues to an agency under the provisions of the law.

21

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

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
DEPARTMENT OF ADMINISTRATION		
ADA Accessibility Modifications,		
Capitol Complex	\$100,000	<u>\$100,000</u> <u>PROPRIETARY</u>
Capitol Restoration, Capitol Complex		\$-300,000 <u>Federal Special Revenue</u>

1		<u>\$696,000</u>	
2		<u>1,100,000</u>	Donations
3		<u>5,385,640</u>	
4		439,000	Proprietary
5		250,000	Capitol Land Grant Revenue
6	<u>SCAGLIOLA REPAIR AND RESTORATION</u>	<u>275,400</u>	
7	<u>ROOF REPLACEMENTS, STATEWIDE</u>	<u>350,000</u>	
8	<u>CODE COMPLIANCE, HEALTH AND SAFETY</u>		
9	<u>PROJECTS, STATEWIDE</u>	<u>350,000</u>	
10	<u>UPGRADE ELECTRICAL SYSTEMS,</u>		
11	<u>CAPITOL COMPLEX</u>	<u>200,000</u>	
12	<u>EMERGENCY PROJECTS, STATEWIDE</u>	<u>379,000</u>	
13	DEPARTMENT OF CORRECTIONS & HUMAN SERVICES		
14	Facility Improvements,		
15	Center for the Aged	330,000	
16	Roof Replacements, Corrections		
17	and Human Services	70,000	
18	Facility Improvements,		
19	Montana Developmental Center	644,000	
20	Facility Maintenance, Montana		
21	Veterans' Home	215,952	State Special Revenue
22	Swan River Correctional Training Center		
23	<u>CORRECTIONAL BOOT CAMP</u>		
24	Expansion	560,000	Federal Special Revenue
25	Montana State Prison Expansion	1,500,000	Federal Special Revenue
26	Regional Correctional Facilities	4,000,000	Federal Special Revenue
27	<u>BUILDING DEMOLITION AND ASBESTOS REMOVAL,</u>		
28	<u>MONTANA STATE HOSPITAL</u>	<u>100,000</u>	
29	DEPARTMENT OF FAMILY SERVICES		
30	Miscellaneous Improvements, Pine		

1	Hills School	100,000	
2		<u>180,000</u>	
3	<u>Lodge Replacement</u> <u>CAMPUS</u> Planning,		
4	Pine Hills School	100,000	
5	<u>MONTANA YOUTH ALTERNATIVES PROGRAM</u>		
6	<u>BOULDER</u>	<u>560,000</u>	
7	DEPARTMENT OF FISH, WILDLIFE & PARKS		
8	Bluewater Hatchery, Phase II	2,500,000	State Special Revenue
9	Ulm Pishkun, Phase I	<u>843,000</u>	State Special Revenue
10		<u>818,000</u>	
11		<u>25,000</u>	<u>STATE SPECIAL REVENUE*</u>
12		<u>220,000</u>	<u>FEDERAL SPECIAL REVENUE</u>
13	Administrative Facilities,		
14	Improvements	569,520	State Special Revenue
15	Makoshika State Park	<u>300,000</u>	State Special Revenue
16		<u>275,000</u>	
17		<u>25,000</u>	<u>STATE SPECIAL REVENUE*</u>
18		100,000	Federal Special Revenue
19	Fish Health Lab	344,000	State Special Revenue
20	Tongue River Reservoir		
21	State Park	500,000	State Special Revenue
22		650,000	Federal Special Revenue
23	Fish Hatchery Maintenance	192,000	State Special Revenue
24	Spring Meadow Wildlife Rehabilitation		
25	and Education Center	600,000	State Special Revenue
26		25,000	Federal Special Revenue
27	<u>Long Pine Visitor Center</u>	<u>150,000</u>	<u>State Special Revenue</u>
28	Salmon and Placid Lakes		
29	State Park	140,000	State Special Revenue
30		135,000	Federal Special Revenue

1	Whitefish Lake State Park	200,000	State Special Revenue
2		<u>150,000</u>	
3		<u>50,000</u>	<u>STATE SPECIAL REVENUE*</u>
4		200,000	Federal Special Revenue
5	Lake Elmo State Park,		
6	Phase III	150,000	State Special Revenue
7	Cooney Reservoir State Park	250,000	State Special Revenue
8		40,000	Federal Special Revenue
9	DEPARTMENT OF LABOR & INDUSTRY		
10	Repair and Maintenance		
11	Local Job Services, Statewide	110,000	Federal Special Revenue
12	Expand Job Service,		
13	Hel Havre	350,000	Federal Special Revenue
14	Purchase Land for Job Service		
15	Parking, Statewide	156,550	Federal Special Revenue
16	DEPARTMENT OF MILITARY AFFAIRS		
17	Repair STARC Armory HVAC		
18	System, Helena	258,500	
19	Roof Replacements, Statewide	107,000	
20	Construct Billings Armory	<u>12,009,800</u>	Federal Special Revenue
21		<u>14,009,800</u>	
22	Federal Spending Authority	800,000	Federal Special Revenue
23	State Veterans' Cemetery		
24	Phase IV	75,000	State Special Revenue
25		75,000	Federal Special Revenue
26	DEPARTMENT OF STATE LANDS		
27	Maintenance and Improvements,		
28	Statewide	336,400	
29	Construct <u>OR PURCHASE</u> Unit Office, Plains	300,000	
30	DEPARTMENT OF TRANSPORTATION		

1	Repair, Maintenance, and Minor		
2	Construction Projects, Statewide	650,000	Highways State Special Revenue
3	Equipment Storage Buildings, Statewide	1,820,000	Highways State Special Revenue
4	MONTANA UNIVERSITY SYSTEM		
5	Repair Old Main Steam Traps,		
6	UM - Western	55,000	
7	Repair Brockmann Center,		
8	MSU - Northern	200,000	
9		<u>75,000</u>	
10	Museum Elevator,		
11	UM - Montana Tech	350,000	
12	<u>REPLACEMENT OF PRIMARY ELECTRICAL</u>		
13	<u>DISTRIBUTION SYSTEM</u>		
14	<u>MSU - BILLINGS</u>	<u>1,487,500</u>	<u>262,500</u> <u>AUXILIARY</u>
15		<u>300,000</u>	
16	Roof Replacements,		
17	University System	714,700	
18	Life Safety/Code Compliance		
19	University System	500,000	
20	ADA Accessibility Modifications		
21	University System	300,000	
22	Central Heating Plant, Phase II		
23	MSU - Bozeman	<u>2,200,000</u>	Auxiliary
24		<u>2,080,000</u>	
25	Chemistry Building Renovation		
26	UM - Montana Tech	1,509,000	Donations
27	<u>Pharmacy Addition/Renovation</u>		
28	<u>UM - Missoula</u>	<u>2,000,000</u>	<u>Donations</u>
29	Authority Only Projects,		
30	Montana State University	11,375,946	Federal, Trust, Higher Education

1		<u>560,000</u>	Funds, and Donations
2	<u>BIOSCIENCE FACILITY</u>	<u>10,815,946</u>	<u>FEDERAL SPECIAL REVENUE</u>
3	Authority Only Projects,		
4	University of Montana	<u>6,450,000</u>	Federal, Trust, Higher Education
5		<u>450,000</u>	Funds, and Donations
6	<u>PHARMACY/PSYCHOLOGY BUILDING ADDITION</u>	<u>10,400,000</u>	<u>FEDERAL AND DONATIONS</u>
7	STATE BOARD OF EDUCATION		
8	Reshingle Cottage Complex, Montana		
9	School for the Deaf and Blind	120,000	

10 (2) FOR THE CAPITOL RESTORATION PROJECT, THE DEPARTMENT OF ADMINISTRATION IS
11 AUTHORIZED TO EXPEND PRIVATE DONATIONS, UP TO \$5,385,640, FOR HISTORIC RESTORATION
12 PROJECTS AND ANY MONTANA POWER COMPANY FUNDING FOR APPROVED ENERGY RETROFITTING
13 PROJECTS. IF ADDITIONAL FEDERAL SPECIAL REVENUE FROM CTEP FUNDS BECOMES AVAILABLE,
14 THE DEPARTMENT OF ADMINISTRATION IS AUTHORIZED TO USE THOSE FUNDS FOR CAPITOL
15 RESTORATION PROJECTS. IF CTEP FUNDS ARE USED FOR INFRASTRUCTURE PROJECTS, A MATCHING
16 AMOUNT OF BONDING AUTHORITY IN HOUSE BILL NO. 15 MAY BE USED FOR HISTORIC RESTORATION
17 PROJECTS IN ORDER TO REDUCE THE SPENDING AUTHORITY FOR PRIVATE DONATIONS. IF ANY
18 FEDERAL OR BONDED FUNDING AUTHORIZED FOR THE RESTORATION OF THE CAPITOL BUILDING
19 INFRASTRUCTURE IS NOT NEEDED BECAUSE OF A REDUCTION IN COSTS OF THE APPROVED PROJECT,
20 FUNDING MAY BE USED FOR HISTORIC RESTORATION PROJECTS.

21 (3) THE FUNDING PROVIDED TO THE PROJECTS IN THIS SECTION AND IDENTIFIED BY AN
22 ASTERISK (*) REPRESENTS LODGING FACILITIES USE TAX THAT IS ALLOCATED TO THE DEPARTMENT
23 OF FISH, WILDLIFE, AND PARKS AND THAT IS STATUTORILY APPROPRIATED UNDER 15-65-121 FOR
24 MAINTENANCE OF FACILITIES IN STATE PARKS. IT IS NOT INTENDED FOR THE PROJECT TO BE
25 REDUCED BY THIS AMOUNT.

26 (4) IT IS THE INTENT OF THE LONG-RANGE PLANNING SUBCOMMITTEE THAT THE \$625,000
27 APPROPRIATED FOR THE SPRING MEADOW WILDLIFE REHABILITATION AND EDUCATION CENTER
28 PROJECT BE USED TO TRANSFER THE ANIMAL SHELTER FROM ITS EXISTING LOCATION TO THE
29 SPRING MEADOW COMPLEX UPON AN AGREEMENT BETWEEN THE DEPARTMENT OF FISH, WILDLIFE,
30 AND PARKS AND THE DONOR GROUP FOR THE TRANSFER OF THE SPRING MEADOW PROPERTY AND

1 FOR THE PLANNING OF ADDITIONAL PHASES OF THE PROJECT. IT IS NOT THE INTENT OF THE
2 SUBCOMMITTEE TO ENCUMBER ANY FUTURE LEGISLATURE WITH REGARD TO ADDITIONAL PHASES
3 OF THE PROJECT. THE PROJECT APPROVED IN [THIS ACT] IS TO BE A STAND-ALONE PROJECT.

4

5 NEW SECTION. **Section 3. Land acquisition appropriation.** The following money is appropriated
6 to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land
7 leasing, easement purchase, or development agreement:

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
Habitat Montana	\$4,600,000	State Special Revenue
Fishing Access Site	800,000	State Special Revenue
Bighorn Sheep Program	652,720	State Special Revenue
BPA Mitigation	1,000,000	Federal Special Revenue

13

14 NEW SECTION. **Section 4. River restoration.** The following money is appropriated to the
15 department of fish, wildlife, and parks in the indicated amounts for river restoration:

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
River Restoration	\$ 290,000	State Special Revenue
Tongue River Restoration	1,100,000	State Special Revenue

19

20 NEW SECTION. **Section 5. Dams.** (1) The following money is appropriated to the department of
21 fish, wildlife, and parks in the indicated amounts for the following dams:

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
South Sandstone Dam Repair	\$ 250,000	State Special Revenue
	<u>\$264,000</u>	
Ringy Dingy Dam Repair	50,000	State Special Revenue
<u>BEARPAW DAM UPGRADE</u>	<u>210,000</u>	<u>STATE SPECIAL REVENUE</u>

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

29 (3) FUNDS APPROPRIATED FOR THE SOUTH SANDSTONE DAM ARE CONTINGENT UPON THE
30 DEPARTMENT OF FISH, WILDLIFE, AND PARKS DISPOSING OF ITS OWNERSHIP AND LIABILITY

1 RESPONSIBILITY OF THE PROPERTY ON WHICH THE SOUTH SANDSTONE DAM IS LOCATED. THE
2 TRANSFER OF OWNERSHIP SHOULD INCLUDE CONTINUED PUBLIC RECREATIONAL ACCESS. THE
3 DEPARTMENT IS AUTHORIZED TO MAKE THE REPAIRS OR MAY PASS THE FUNDS THROUGH TO THE
4 NEW OWNER TO REIMBURSE PROJECT EXPENSES. IF FUNDS REMAIN AFTER COMPLETION OF THE
5 PROJECT, THE DEPARTMENT IS AUTHORIZED TO ESTABLISH AN OPERATIONS AND MAINTENANCE
6 ACCOUNT FOR THE PROJECT.

7

8 NEW SECTION. Section 6. Capital improvements. (1) The following money is appropriated to the
9 department of transportation in the indicated amounts for the purpose of making capital improvements to
10 statewide facilities:

11	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
12	Repair, Maintenance, and Minor		
13	Construction Projects for Highways,		
14	Statewide	\$250,000	State Special Revenue
15		<u>\$830,000</u>	
16	Maintenance and Minor Construction		
17	Projects for Aeronautics, Statewide	50,000	State Special Revenue

18 (2) The following money is appropriated to the department of fish, wildlife, and parks in the
19 indicated amounts for the purpose of making capital improvements to statewide facilities:

20	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
21	Wildlife Habitat Maintenance	\$227,000	State Special Revenue
22		<u>\$377,000</u>	
23	Property Development	165,000	State Special Revenue
24	Fishing Access Protection,		
25	Statewide	625,000	State Special Revenue
26		375,000	Federal Special Revenue
27	Waterfowl Stamp Program	185,000	State Special Revenue
28	Statewide Road Improvements	1,000,000	State Special Revenue
29		<u>1,150,000</u>	
30	Miles City Hatchery Pond	110,000	State Special Revenue

6	<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
7	Tongue River Dam Rehabilitation	\$ 3,275,000	State Special Revenue
8		<u>\$3,500,000</u>	
9		30,465,000	Federal Special Revenue
10		<u>31,865,000</u>	
11		11,001,000	Tribal Loan
12	Petrolia Dam Rehabilitation	1,076,000	State Special Revenue
13	<u>Nevada Creek Dam Study</u>	360,000	<u>State Special Revenue</u>
14	Ruby River Dam Study	480,000	State Special Revenue

15 (4) FOR THE APPROPRIATION FOR THE PETROLIA DAM REHABILITATION, THE LEGISLATURE
16 FINDS THAT THE PROJECT IS IN NEED OF COSTLY REPAIRS IF OPERATION OF THE PROJECT IS TO
17 CONTINUE AND THAT IT IS FINANCIALLY UNSOUND FOR THE STATE TO CONTINUE TO OWN THE
18 PROJECT. ANY BENEFITS TO THE PUBLIC ACCRUING FROM CONTINUED STATE OWNERSHIP ARE
19 OUTWEIGHED BY THE COST OF REPAIRS AND CONTINUED MAINTENANCE. THE LEGISLATURE FINDS
20 THAT THE USEFUL LIFE OF THE PROJECT AS A STATE-OWNED WATER PROJECT IS AT AN END. THE
21 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION IS DIRECTED TO ENTER INTO AN
22 AGREEMENT FOR THE PROJECT'S DISPOSITION TO THE PETROLIA WATER USERS' ASSOCIATION. THE
23 MONEY APPROPRIATED IN THIS SECTION IS CONTINGENT UPON THE PETROLIA WATER USERS'
24 ASSOCIATION EXECUTION OF A VALID AGREEMENT TO ACCEPT OWNERSHIP OF ALL PROPERTY
25 RIGHTS AND LIABILITIES ASSOCIATED WITH THE PROJECT.

26 (4)(5) The following money is appropriated to Montana state university in the indicated amount for
27 the purpose of making capital improvements to campus facilities:

<u>Agency/Project</u>	<u>LRBP</u>	<u>Other Funding Sources</u>
28 Authority Only Projects,		
30 Montana State University	\$200,000	Federal, Trust, Higher Education

Funds, and Donations

2 (5)(6) The following money is appropriated to the university of Montana in the indicated amount
3 for the purpose of making capital improvements to campus facilities:

4	<u>Agency/Project</u>	LRBP	<u>Other Funding Sources</u>
5	Authority Only Projects,		
6	University of Montana	\$900,000	Federal, Trust, Higher Education
7			Funds, and Donations

NEW SECTION. SECTION 7. TRANSFER OF FUNDS. THE DEPARTMENT OF FISH, WILDLIFE, AND
IS AUTHORIZED TO TRANSFER MONEY APPROPRIATED IN [THIS ACT] AMONG FUND TYPES.

12 NEW SECTION. SECTION 8. STATE ADVANCES AND REIMBURSEMENTS FOR SCHOOL
13 FACILITIES -- GENERAL FUND APPROPRIATIONS. THERE IS APPROPRIATED TO THE OFFICE OF PUBLIC
14 INSTRUCTION FROM THE GENERAL FUND \$1.5 MILLION FOR THE SCHOOL FISCAL YEAR ENDING JUNE
15 30, 1996, AND \$2 MILLION FOR THE SCHOOL FISCAL YEAR ENDING JUNE 30, 1997, TO PAY FOR
16 STATE ADVANCES AND REIMBURSEMENTS FOR SCHOOL FACILITIES IN ACCORDANCE WITH THE
17 PROVISIONS OF HOUSE BILL NO. 416. THE APPROPRIATION AND AUTHORIZATION PROVIDED IN [THIS
18 SECTION] ARE CONTINGENT ON PASSAGE AND APPROVAL OF HOUSE BILL NO. 416.

20 **NEW SECTION. Section 9. Planning and design.** The department of administration may proceed
21 with the planning and design of capital projects prior to the receipt of other funding sources. The
22 department may use interaccount loans in accordance with 17-2-107 to pay planning and design costs
23 incurred prior to the receipt of other funding sources.

25 **NEW SECTION. Section 10. Capital projects -- contingent funds.** If a capital project is financed
26 in whole or in part with appropriations contingent upon the receipt of other funding sources, the department
27 of administration may not let the projects for bid until the agency has submitted a financial plan for approval
28 by the director of the department of administration. A financial plan may not be approved by the director
29 if:

30 (1) the level of funding provided under the financial plan deviates substantially from the funding

1 level provided in [sections 1 through 6] for that project; or
2 (2) the scope of the project is substantially altered or revised from the preliminary plans presented
3 for that project in the 1996-97 long-range building program presented to the 54th legislature.

4

5 **NEW SECTION. Section 11. Legislative consent.** The appropriations authorized in [sections 1
6 through 8 ~~9~~ 10] constitute legislative consent for the capital projects contained in [sections 1 through 8
7 ~~9~~ 10] within the meaning of 18-2-102.

8

9 **NEW SECTION. SECTION 12. MAINTENANCE FOR STATE BUILDINGS.** (1) SUBJECT TO
10 LEGISLATIVE DETERMINATION AS PROVIDED IN SUBSECTION (2), A MAJOR CAPITAL PROJECT
11 APPROPRIATION BY THE LEGISLATURE MAY INCLUDE AN AMOUNT FOR MAINTENANCE AS A PART OF
12 THE APPROPRIATION. THE AMOUNT APPROPRIATED FOR MAINTENANCE MUST BE DEPOSITED IN THE
13 LONG-RANGE BUILDING ACCOUNT FOR USE IN FUTURE MAINTENANCE.

14 (2) A STATE BUILDING RECOMMENDED FOR CONSTRUCTION IN THE REPORT TO THE
15 LEGISLATURE REQUIRED BY 17-7-203 MAY ALSO BE RECOMMENDED AS APPROPRIATE FOR THE
16 INCLUSION OF AN AMOUNT FOR MAINTENANCE. FOR THOSE BUILDINGS RECOMMENDED FOR
17 CONSTRUCTION, THE LEGISLATURE MAY ALLOCATE AN AMOUNT NOT TO EXCEED 2% OF THE
18 APPROPRIATED COST FOR USE IN MAINTENANCE.

19 (3) THIS SECTION DOES NOT PRECLUDE ADDITIONAL FUNDS, INCLUDING SEPARATE
20 APPROPRIATIONS, DONATIONS, GRANTS, OR OTHER AVAILABLE FUNDS, FROM BEING USED FOR THE
21 CONSTRUCTION OR MAINTENANCE OF STATE BUILDINGS.

22

23 **NEW SECTION. SECTION 13. PERCENT-FOR-ART.** THE ARCHITECTURE AND ENGINEERING
24 DIVISION OF THE DEPARTMENT OF ADMINISTRATION IS DIRECTED TO MINIMIZE THE ALLOCATION OF
25 FUNDS FOR THE ACQUISITION OF WORKS OF ART, AS PROVIDED IN TITLE 22, CHAPTER 2, PART 4,
26 FOR CAPITAL PROJECTS APPROVED BY THE 1995 LEGISLATURE.

27

28 **NEW SECTION. SECTION 14. COORDINATION INSTRUCTION.** (1) IF [THIS ACT] AND HOUSE
29 BILL NO. 349 ARE BOTH PASSED AND APPROVED, THE AMOUNTS APPROPRIATED FOR THE
30 BLUEWATER HATCHERY IN [SECTION 2 OF THIS ACT] AND FOR THE TONGUE RIVER RESTORATION

1 AND RIVER RESTORATION IN [SECTION 4 OF THIS ACT] ARE APPROPRIATED ACCORDING TO THE
2 PROVISIONS OF HOUSE BILL NO. 349, EXCEPT THAT THE DEPARTMENT OF FISH, WILDLIFE, AND
3 PARKS MAY SPEND UP TO \$250,000 OF THE FUNDS IDENTIFIED IN [SECTION 3(2)] OF HOUSE BILL NO.
4 349 FROM THE BLUEWATER HATCHERY, AND AN ADDITIONAL \$250,000 FROM THE DEPARTMENT'S
5 GENERAL LICENSE ACCOUNT, TO CONTAIN, CONTROL, AND MITIGATE WHIRLING DISEASE IN
6 MONTANA'S WATERWAYS. [THIS ACT] CONTROLS AS TO ANY CONFLICTS WITH THE ALLOCATION
7 OF FUNDS IN [SECTION 3(2)] OF HOUSE BILL NO. 349.

8 (2) IF [THIS ACT] AND HOUSE BILL NO. 512 ARE BOTH PASSED AND APPROVED, THE AMOUNTS
9 APPROPRIATED FOR FISHING ACCESS SITE ACQUISITION IN [SECTION 3] OF [THIS ACT] ARE
10 ALLOCATED ACCORDING TO THE PROVISIONS OF HOUSE BILL NO. 512.

11

12 NEW SECTION. SECTION 15. CODIFICATION INSTRUCTION. [SECTION 11-12] IS INTENDED TO
13 BE CODIFIED AS AN INTEGRAL PART OF TITLE 17, CHAPTER 7, PART 2, AND THE PROVISIONS OF TITLE
14 17, CHAPTER 7, PART 2, APPLY TO [SECTION 11-12].

15

16 NEW SECTION. SECTION 16. REPEALER. SECTION 23, CHAPTER 624, LAWS OF 1993, IS
17 REPEALED.

18

19 NEW SECTION. Section 17. 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
21 applications, the part remains in effect in all valid applications that are severable from the invalid
22 applications.

23

24 NEW SECTION. Section 18. Effective date. [This act] is effective on passage and approval.

25

-END-