

## 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 BIENNIUM 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:

| 23 <u>Agency/Project</u>                | <u>LRBP</u> | <u>Other Funding Sources</u> |
|-----------------------------------------|-------------|------------------------------|
| 24 DEPARTMENT OF ADMINISTRATION         |             |                              |
| 25 ADA Accessibility Modifications,     |             |                              |
| 26 Capitol Complex                      | \$100,000   |                              |
| 27 Capitol Restoration, Capitol Complex | \$ 300,000  | Federal Special Revenue      |
| 28                                      | 1,100,000   | Donations                    |
| 29                                      | 439,000     | Proprietary                  |
| 30                                      | 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

7  
 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:

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

17  
 18  
 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        |

24  
 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:

| 5 <u>Agency/Project</u>                | <u>LRBP</u> | <u>Other Funding Sources</u> |
|----------------------------------------|-------------|------------------------------|
| 6 Repair, Maintenance, and Minor       |             |                              |
| 7 Construction Projects for Highways,  |             |                              |
| 8 Statewide                            | \$250,000   | State Special Revenue        |
| 9 Maintenance and Minor Construction   |             |                              |
| 10 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

| 14 <u>Agency/Project</u>            | <u>LRBP</u> | <u>Other Funding Sources</u> |
|-------------------------------------|-------------|------------------------------|
| 15 Wildlife Habitat Maintenance     | \$227,000   | State Special Revenue        |
| 16 Property Development             | 165,000     | State Special Revenue        |
| 17 Fishing Access Protection,       |             |                              |
| 18 Statewide                        | 625,000     | State Special Revenue        |
| 19                                  | 375,000     | Federal Special Revenue      |
| 20 Waterfowl Stamp Program          | 185,000     | State Special Revenue        |
| 21 Statewide Road Improvements      | 1,000,000   | State Special Revenue        |
| 22 Miles City Hatchery Pond         | 110,000     | State Special Revenue        |
| 23 Thompson Chain of Lakes          |             |                              |
| 24 Fishing Access Site              | 200,000     | State Special Revenue        |
| 25 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

| 29 <u>Agency/Project</u>           | <u>LRBP</u>  | <u>Other Funding Sources</u> |
|------------------------------------|--------------|------------------------------|
| 30 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:

| 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 |
| 12 |                          |             | 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 |
| 18 |                          |             | 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

1           (2) the scope of the project is substantially altered or revised from the preliminary plans presented for that  
2 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-



HOUSE BILL NO. 5

INTRODUCED BY BERGSAGEL

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1997; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR AN ALLOWANCE FOR MAINTENANCE BASED UPON A PERCENTAGE OF CONSTRUCTION COST; REPEALING SECTION 23, CHAPTER 624, LAWS OF 1993; 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 9 12], unless otherwise stated, the following definitions apply:

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

(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.

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

| <u>Agency/Project</u>                | <u>LRBP</u>          | <u>Other Funding Sources</u>                  |
|--------------------------------------|----------------------|-----------------------------------------------|
| DEPARTMENT OF ADMINISTRATION         |                      |                                               |
| ADA Accessibility Modifications,     |                      |                                               |
| Capitol Complex                      | <del>\$100,000</del> | <u>\$100,000</u> PROPRIETARY                  |
| Capitol Restoration, Capitol Complex |                      | <del>\$ 300,000</del> Federal Special Revenue |
|                                      |                      | <u>\$696,000</u>                              |

|    |                                                      |                      |                                    |
|----|------------------------------------------------------|----------------------|------------------------------------|
| 1  |                                                      | <del>1,100,000</del> | 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 | <del>Swan River Correctional Training Center</del>   |                      |                                    |
| 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 | <del>Regional Correctional Facilities</del>          | <del>4,000,000</del> | <del>Federal Special Revenue</del> |
| 19 | DEPARTMENT OF FAMILY SERVICES                        |                      |                                    |
| 20 | Miscellaneous Improvements, Pine                     |                      |                                    |
| 21 | Hills School                                         | 100,000              |                                    |
| 22 | <del>Lodge Replacement</del> <u>CAMPUS</u> 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                                 | <del>843,000</del>   | 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                  | <del>300,000</del> | 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 | <del>Lone Pine Visitor Center</del>   | <del>150,000</del> | <del>State Special Revenue</del> |
| 17 | Salmon and Placid Lakes               |                    |                                  |
| 18 | State Park                            | 140,000            | State Special Revenue            |
| 19 |                                       | 135,000            | Federal Special Revenue          |
| 20 | Whitefish Lake State Park             | <del>200,000</del> | 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  | <del>Expand Job Service,</del>                   |                       |                                    |
| 2  | <del>Havre</del>                                 | <del>350,000</del>    | <del>Federal Special Revenue</del> |
| 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                        | <del>12,009,800</del> | 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                                   | <del>200,000</del>    |                                    |
| 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                           | <del>2,200,000</del>  | Auxiliary                        |
| 9  |                                         | <u>2,080,000</u>      |                                  |
| 10 | Chemistry Building Renovation           |                       |                                  |
| 11 | UM - Montana Tech                       | 1,509,000             | Donations                        |
| 12 | <del>Pharmacy Addition/Renovation</del> |                       |                                  |
| 13 | <del>UM - Missoula</del>                | <del>2,000,000</del>  | <del>Donations</del>             |
| 14 | Authority Only Projects,                |                       |                                  |
| 15 | Montana State University                | <del>11,375,946</del> | 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                   | <del>6,450,000</del>  | 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       (2) FOR THE CAPITOL RESTORATION PROJECT, THE DEPARTMENT OF ADMINISTRATION IS  
 25 AUTHORIZED TO EXPEND PRIVATE DONATIONS, UP TO \$5,385,640, FOR HISTORIC RESTORATION  
 26 PROJECTS AND ANY MONTANA POWER COMPANY FUNDING FOR APPROVED ENERGY RETROFITTING  
 27 PROJECTS. IF ADDITIONAL FEDERAL SPECIAL REVENUE FROM CTEP FUNDS BECOMES AVAILABLE,  
 28 THE DEPARTMENT OF ADMINISTRATION IS AUTHORIZED TO USE THOSE FUNDS FOR CAPITOL  
 29 RESTORATION PROJECTS. IF CTEP FUNDS ARE USED FOR INFRASTRUCTURE PROJECTS, A MATCHING  
 30 AMOUNT OF BONDING AUTHORITY IN HOUSE BILL NO. 15 MAY BE USED FOR HISTORIC RESTORATION

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> |
|--------------------------|-------------|------------------------------|
| 22 Habitat Montana       | \$4,600,000 | State Special Revenue        |
| 23 Fishing Access Site   | 800,000     | State Special Revenue        |
| 24 Bighorn Sheep Program | 652,720     | State Special Revenue        |
| 25 BPA Mitigation        | 1,000,000   | Federal Special Revenue      |

26  
 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> |
|-----------------------|-------------|------------------------------|
|-----------------------|-------------|------------------------------|

|   |                          |            |                       |
|---|--------------------------|------------|-----------------------|
| 1 | River Restoration        | \$ 290,000 | State Special Revenue |
| 2 | Tongue River Restoration | 1,100,000  | State Special Revenue |

3  
 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:

| 6 | <u>Agency/Project</u>      | <u>LRBP</u>           | <u>Other Funding Sources</u> |
|---|----------------------------|-----------------------|------------------------------|
| 7 | South Sandstone Dam Repair | <del>\$ 250,000</del> | 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.

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

20  
 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                           | <del>\$250,000</del> | State Special Revenue        |
| 28 |                                     | <u>\$830,000</u>     |                              |
| 29 | Maintenance and Minor Construction  |                      |                              |
| 30 | Projects for Aeronautics, Statewide | 50,000               | State Special Revenue        |

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

| <u>Agency/Project</u>               | <u>LRBP</u>          | <u>Other Funding Sources</u> |
|-------------------------------------|----------------------|------------------------------|
| 4 Wildlife Habitat Maintenance      | \$227,000            | State Special Revenue        |
|                                     | <u>\$377,000</u>     |                              |
| 6 Property Development              | 165,000              | State Special Revenue        |
| 7 Fishing Access Protection,        |                      |                              |
| 8 Statewide                         | 625,000              | State Special Revenue        |
|                                     | 375,000              | Federal Special Revenue      |
| 10 Waterfowl Stamp Program          | 185,000              | State Special Revenue        |
| 11 Statewide Road Improvements      | <del>1,000,000</del> | State Special Revenue        |
|                                     | <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:

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

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>    | <u>LRBP</u> | <u>Other Funding Sources</u>     |
|-----------------------------|-------------|----------------------------------|
| 12 Authority Only Projects, |             |                                  |
| 13 Montana State University | \$200,000   | Federal, Trust, Higher Education |
| 14                          |             | 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>    | <u>LRBP</u> | <u>Other Funding Sources</u>     |
|-----------------------------|-------------|----------------------------------|
| 18 Authority Only Projects, |             |                                  |
| 19 University of Montana    | \$900,000   | Federal, Trust, Higher Education |
| 20                          |             | Funds, and Donations             |

21  
 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.

24  
 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 & 9] constitute legislative consent for the capital projects contained in [sections 1 through & 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  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11

HOUSE BILL NO. 5  
INTRODUCED BY BERGSAGEL  
BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

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

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

Narding  
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: \_\_\_\_\_

  
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

SENATE

791114CW.SPV



Amd. Coord.

HOUSE BILL NO. 5

INTRODUCED BY BERGSAGEL

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1997; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR AN ALLOWANCE FOR MAINTENANCE BASED UPON A PERCENTAGE OF CONSTRUCTION COST; REPEALING SECTION 23, CHAPTER 624, LAWS OF 1993; 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 ~~9~~ 12], unless otherwise stated, the following definitions apply:

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

(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.

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

| <u>Agency/Project</u>                | <u>LRBP</u> | <u>Other Funding Sources</u>                  |
|--------------------------------------|-------------|-----------------------------------------------|
| DEPARTMENT OF ADMINISTRATION         |             |                                               |
| ADA Accessibility Modifications,     |             |                                               |
| Capitol Complex                      | \$100,000   | \$100,000 <u>PROPRIETARY</u>                  |
| Capitol Restoration, Capitol Complex |             | <del>\$ 300,000</del> Federal Special Revenue |
|                                      |             | <u>\$696,000</u>                              |

|    |                                                      |                      |                                    |
|----|------------------------------------------------------|----------------------|------------------------------------|
| 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 | <del>Swan River Correctional Training Center</del>   |                      |                                    |
| 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 | <del>Regional Correctional Facilities</del>          | <del>4,000,000</del> | <del>Federal Special Revenue</del> |
| 19 | DEPARTMENT OF FAMILY SERVICES                        |                      |                                    |
| 20 | Miscellaneous Improvements, Pine                     |                      |                                    |
| 21 | Hills School                                         | 100,000              |                                    |
| 22 | <del>Lodge Replacement</del> <u>CAMPUS</u> 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                                 | <del>843,000</del>   | 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                  | <del>300,000</del> | 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 | <del>Lone Pine Visitor Center</del>   | <del>150,000</del> | <del>State Special Revenue</del> |
| 17 | Salmon and Placid Lakes               |                    |                                  |
| 18 | State Park                            | 140,000            | State Special Revenue            |
| 19 |                                       | 135,000            | Federal Special Revenue          |
| 20 | Whitefish Lake State Park             | <del>200,000</del> | 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  | <del>Expand Job Service,</del>                   |                       |                                    |
| 2  | <del>Havre</del>                                 | <del>350,000</del>    | <del>Federal Special Revenue</del> |
| 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                        | <del>12,009,800</del> | 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                                   | <del>200,000</del>    |                                    |
| 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                                                                              |                  | <u>2,200,000</u>      | Auxiliary                        |
| 12 |                                                                                            |                  | <u>2,080,000</u>      |                                  |
| 13 | Chemistry Building Renovation                                                              |                  |                       |                                  |
| 14 | UM - Montana Tech                                                                          |                  | 1,509,000             | Donations                        |
| 15 | <del>Pharmacy Addition/Renovation</del>                                                    |                  |                       |                                  |
| 16 | <del>UM - Missoula</del>                                                                   |                  | <del>2,000,000</del>  | <del>Donations</del>             |
| 17 | Authority Only Projects,                                                                   |                  |                       |                                  |
| 18 | Montana State University                                                                   |                  | <del>11,375,946</del> | 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                                                                      |                  | <del>6,450,000</del>  | 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:

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

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:

| <u>Agency/Project</u>         | <u>LRBP</u>           | <u>Other Funding Sources</u> |
|-------------------------------|-----------------------|------------------------------|
| 10 South Sandstone Dam Repair | <del>\$ 260,000</del> | State Special Revenue        |
|                               | <u>\$264,000</u>      |                              |
| 12 Ringy Dingy Dam Repair     | 50,000                | State Special Revenue        |
| 13 <u>BEARPAW DAM UPGRADE</u> | <u>210,000</u>        | <u>STATE SPECIAL REVENUE</u> |

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

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

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

| <u>Agency/Project</u>                  | <u>LRBP</u> | <u>Other Funding Sources</u> |
|----------------------------------------|-------------|------------------------------|
| 29 Repair, Maintenance, and Minor      |             |                              |
| 30 Construction Projects for Highways, |             |                              |



1 ~~Ruby River Dam Study~~ ~~480,000~~ ~~State Special Revenue~~

2 (4) FOR THE APPROPRIATION FOR THE PETROLIA DAM REHABILITATION, THE LEGISLATURE  
3 FINDS THAT THE PROJECT IS IN NEED OF COSTLY REPAIRS IF OPERATION OF THE PROJECT IS TO  
4 CONTINUE AND THAT IT IS FINANCIALLY UNSOUND FOR THE STATE TO CONTINUE TO OWN THE  
5 PROJECT. ANY BENEFITS TO THE PUBLIC ACCRUING FROM CONTINUED STATE OWNERSHIP ARE  
6 OUTWEIGHED BY THE COST OF REPAIRS AND CONTINUED MAINTENANCE. THE LEGISLATURE FINDS  
7 THAT THE USEFUL LIFE OF THE PROJECT AS A STATE-OWNED WATER PROJECT IS AT AN END. THE  
8 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION IS DIRECTED TO ENTER INTO AN  
9 AGREEMENT FOR THE PROJECT'S DISPOSITION TO THE PETROLIA WATER USERS' ASSOCIATION. THE  
10 MONEY APPROPRIATED IN THIS SECTION IS CONTINGENT UPON THE PETROLIA WATER USERS'  
11 ASSOCIATION EXECUTION OF A VALID AGREEMENT TO ACCEPT OWNERSHIP OF ALL PROPERTY  
12 RIGHTS AND LIABILITIES ASSOCIATED WITH THE PROJECT.

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:

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

19 ~~(5)~~(6) The following money is appropriated to the university of Montana in the indicated amount  
20 for the purpose of making capital improvements to campus facilities:

| <u>Agency/Project</u>    | <u>LRBP</u> | <u>Other Funding Sources</u>                             |
|--------------------------|-------------|----------------------------------------------------------|
| Authority Only Projects, |             |                                                          |
| University of Montana    | \$900,000   | Federal, Trust, Higher Education<br>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.**







**FREE CONFERENCE COMMITTEE**

on House Bill 5  
Report No. 1, April 12, 1995

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:

|                                    |             |
|------------------------------------|-------------|
|                                    | <u>LRBP</u> |
| " Scagliola Repair and Restoration | 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.

|                                       |             |
|---------------------------------------|-------------|
|                                       | <u>LRBP</u> |
| Insert: "Roof Replacements, Statewide | 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.

|                                                                    |             |
|--------------------------------------------------------------------|-------------|
|                                                                    | <u>LRBP</u> |
| Insert: "Code Compliance, Health and Safety<br>Projects, Statewide | 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.

Insert: "Upgrade Electrical Systems, Capitol Complex

LRBP

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.

Insert: "Emergency Projects, Statewide

LRBP

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.

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

LRBP

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

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

McCann

For the Senate:

Harding

Chair

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 BIENNIUM 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 ~~9 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 ~~9 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   | \$100,000            | PROPRIETARY                  |
| Capitol Restoration, Capitol Complex |             | <del>\$300,000</del> | Federal Special Revenue      |

|    |                                                    |                      |                                    |
|----|----------------------------------------------------|----------------------|------------------------------------|
| 1  |                                                    | <u>\$696,000</u>     |                                    |
| 2  |                                                    | 1,100,000            | 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 | <del>Roof Replacements, Corrections</del>          |                      |                                    |
| 17 | <del>and Human Services</del>                      | <del>70,000</del>    |                                    |
| 18 | Facility Improvements,                             |                      |                                    |
| 19 | Montana Developmental Center                       | 644,000              |                                    |
| 20 | Facility Maintenance, Montana                      |                      |                                    |
| 21 | Veterans' Home                                     | 215,952              | State Special Revenue              |
| 22 | <del>Swan River Correctional Training Center</del> |                      |                                    |
| 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 | <del>Regional Correctional Facilities</del>        | <del>4,000,000</del> | <del>Federal Special Revenue</del> |
| 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                                         | <u>100,000</u>     |                                  |
| 2  |                                                      | <u>180,000</u>     |                                  |
| 3  | <del>Lodge Replacement</del> <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                                 | <del>843,000</del> | 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                                 | <del>300,000</del> | 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 | <del>Lone Pine Visitor Center</del>                  | <del>150,000</del> | <del>State Special Revenue</del> |
| 28 | Salmon and Placid Lakes                              |                    |                                  |
| 29 | State Park                                           | 140,000            | State Special Revenue            |
| 30 |                                                      | 135,000            | Federal Special Revenue          |



|    |                                                  |         |                       |                                    |
|----|--------------------------------------------------|---------|-----------------------|------------------------------------|
| 1  | Whitefish Lake State Park                        |         | <u>200,000</u>        | 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 | <del>Expand Job Service,</del>                   |         |                       |                                    |
| 13 | <del>Havre</del>                                 |         | <del>350,000</del>    | <del>Federal Special Revenue</del> |
| 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                        |         | <del>12,009,800</del> | 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  | <b>MONTANA UNIVERSITY SYSTEM</b>         |                  |                      |                                  |
| 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> | <del>262,500</del>   | <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                            |                  | 2,200,000            | Auxiliary                        |
| 24 |                                          |                  | <u>2,080,000</u>     |                                  |
| 25 | Chemistry Building Renovation            |                  |                      |                                  |
| 26 | UM - Montana Tech                        |                  | 1,509,000            | Donations                        |
| 27 | <del>Pharmacy Addition/Renovation</del>  |                  |                      |                                  |
| 28 | <del>UM - Missoula</del>                 |                  | <del>2,000,000</del> | <del>Donations</del>             |
| 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:

| 8 <u>Agency/Project</u>  | <u>LRBP</u> | <u>Other Funding Sources</u> |
|--------------------------|-------------|------------------------------|
| 9 Habitat Montana        | \$4,600,000 | State Special Revenue        |
| 10 Fishing Access Site   | 800,000     | State Special Revenue        |
| 11 Bighorn Sheep Program | 652,720     | State Special Revenue        |
| 12 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:

| 16 <u>Agency/Project</u>    | <u>LRBP</u> | <u>Other Funding Sources</u> |
|-----------------------------|-------------|------------------------------|
| 17 River Restoration        | \$ 290,000  | State Special Revenue        |
| 18 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:

| 22 <u>Agency/Project</u>      | <u>LRBP</u>           | <u>Other Funding Sources</u> |
|-------------------------------|-----------------------|------------------------------|
| 23 South Sandstone Dam Repair | <del>\$ 250,000</del> | State Special Revenue        |
| 24                            | <u>\$264,000</u>      |                              |
| 25 Ringy Dingy Dam Repair     | 50,000                | State Special Revenue        |
| 26 <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                           | <del>\$250,000</del> | 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 | <del>\$227,000</del> | 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  | <del>4,000,000</del> | State Special Revenue        |
| 29                              | <u>1,150,000</u>     |                              |
| 30 Miles City Hatchery Pond     | 110,000              | State Special Revenue        |

|   |                                  |         |                       |
|---|----------------------------------|---------|-----------------------|
| 1 | Thompson Chain of Lakes          |         |                       |
| 2 | Fishing Access Site              | 200,000 | State Special Revenue |
| 3 | Boat "In Lieu" Regional Projects | 400,000 | State Special Revenue |

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

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

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:

| 28 | <u>Agency/Project</u>    | <u>LRBP</u> | <u>Other Funding Sources</u>     |
|----|--------------------------|-------------|----------------------------------|
| 29 | Authority Only Projects, |             |                                  |
| 30 | Montana State University | \$200,000   | Federal, Trust, Higher Education |

Funds, and Donations

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

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

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

**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.**

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

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

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

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 44 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 44 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-