

## 1 HOUSE BILL NO. 5

2 INTRODUCED BY L. JONES

3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO CAPITAL  
6 DEVELOPMENT PROJECTS; APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL  
7 DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2022; EXTENDING ALLOCATION OF  
8 SALES TAX ON ACCOMMODATIONS AND CAMPGROUNDS TO CAPITAL PROJECTS ACCOUNT;  
9 PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A  
10 TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE LONG-RANGE BUILDING PROGRAM  
11 MAJOR REPAIR AND CAPITAL DEVELOPMENT ACCOUNTS; PROVIDING DEFINITIONS; PROVIDING  
12 FOR AN APPROPRIATION FROM THE MONTANA HERITAGE CENTER ACCOUNT; PROVIDING AN  
13 APPROPRIATION; AMENDING SECTIONS 15-68-820 AND 22-3-1303, MCA; AMENDING SECTION 2,  
14 CHAPTER 422, LAWS OF 2019; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

17  
18 NEW SECTION. Section 1. Definitions. For the purposes of [sections 1 through 11], unless  
19 otherwise stated, the following definitions apply:

20 (1) "Authority only" means approval provided by the legislature to expend money that does not require  
21 an appropriation, including grants, donations, auxiliary funds, proprietary funds, nonstate funds, and university  
22 funds.

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

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

25 (4) "Capital project" means the planning, design, renovation, construction, alteration, replacement,  
26 furnishing, repair, improvement, site, utility, or land acquisition project provided for in [sections 1 through 11].

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

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

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

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

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

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

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

|    |  |         |           |
|----|--|---------|-----------|
| 1  | 357,496                                      | 642,104 | 999,600   |
| 2  | DMA Lewistown RC Roof Replacement            |         |           |
| 3  | 91,500                                       | 91,500  | 183,000   |
| 4  | DPHHS MSH Foundation Repair                  |         |           |
| 5  | 200,000                                      |         | 200,000   |
| 6  | MSU Lewis Hall Roof Replacement              |         |           |
| 7  | 1,600,000                                    |         | 1,600,000 |
| 8  | DPHHS MSH Roof Replacement Main Building     |         |           |
| 9  | 600,000                                      |         | 600,000   |
| 10 | MSU-N Auto Tech Building System Improvements |         |           |
| 11 | 535,000                                      |         | 535,000   |
| 12 | DOC Finalize Departmental Master Plan        |         |           |
| 13 | 575,000                                      |         | 575,000   |
| 14 | MSDB Card Lock System                        |         |           |
| 15 | 120,000                                      |         | 120,000   |
| 16 | UM Clapp Building Elevator Modernization     |         |           |
| 17 | 300,000                                      |         | 300,000   |
| 18 | MSDB Replace Lift in Bitterroot Building     |         |           |
| 19 | 80,000                                       |         | 80,000    |
| 20 | DPHHS MMHNCC Roof Replacement                |         |           |
| 21 | 550,000                                      |         | 550,000   |
| 22 | DMA Billings AFRC Backup Generator           |         |           |
| 23 | 213,500                                      | 640,500 | 854,000   |
| 24 | DMA Libby RC Loading Ramp Expansion          |         |           |
| 25 | 38,125                                       | 114,375 | 152,500   |
| 26 | MSDB Replace Roof on Cottage Buildings       |         |           |
| 27 | 530,000                                      |         | 530,000   |
| 28 | DOC PHYCF Door Control Systems               |         |           |

|    |   |         |
|----|---|---------|
| 1  | 350,000   | 350,000 |
| 2  | DOC MWP Door Control System   |         |
| 3  | 520,000   | 520,000 |
| 4  | UM-W Roof Replacements  |         |
| 5  | 450,000   | 450,000 |
| 6  | MT Tech Roof Replacements   |         |
| 7  | 800,000   | 800,000 |
| 8  | DOC Xanthopolous Building Door Control System                                     |         |
| 9  | 350,000   | 350,000 |
| 10 | MSU-N Brockmann Center HVAC and Energy Project                                    |         |
| 11 | 855,000   | 855,000 |
| 12 | DNRC Swan Unit Office Siding and House Wrap                                       |         |
| 13 | 210,000   | 210,000 |
| 14 | DNRC Stillwater Unit Shop Remodel   |         |
| 15 | 50,000  | 50,000  |
| 16 | DPHHS MMHNCC New Flooring D-Wing  |         |
| 17 | 174,262   | 174,262 |
| 18 | DPHHS MVH SCU Courtyard, Columbia Falls   |         |
| 19 | 75,000  | 75,000  |
| 20 | State special revenue funds consist of cigarette taxes provided for in 16-11-119. |         |
| 21 | DPHHS MVH Roof Resurface, Columbia Falls  |         |
| 22 | 144,000   | 144,000 |
| 23 | State special revenue funds consist of cigarette taxes provided for in 16-11-119. |         |
| 24 | DPHHS EMVH Facia Replacement, Glendive  |         |
| 25 | 200,000   | 200,000 |
| 26 | State special revenue funds consist of cigarette taxes provided for in 16-11-119. |         |
| 27 | DPHHS MVH Building Major Maintenance, Columbia Falls                              |         |
| 28 | 117,000   | 117,000 |

|    |   |           |           |
|----|---|-----------|-----------|
| 1  | State special revenue funds consist of cigarette taxes provided for in 16-11-119.               |           |           |
| 2  | DOA VRF Piping Replacement, Scott Hart Building   |           |           |
| 3  |   | 900,000   | 900,000   |
| 4  | State special revenue funds consist of capital land grant funds provided for in 18-2-107.       |           |           |
| 5  | DOA Executive Residence Renovation  |           |           |
| 6  |   | 440,500   | 440,500   |
| 7  | State special revenue funds consist of capital land grant funds provided for in 18-2-107.       |           |           |
| 8  | DOA Capitol Weatherization Phase 1  |           |           |
| 9  |   | 1,440,000 | 1,440,000 |
| 10 | State special revenue funds consist of capital land grant funds provided for in 18-2-107.       |           |           |
| 11 | DOA Roof Replacement—111 North Sanders  |           |           |
| 12 |   | 418,600   | 418,600   |
| 13 | State special revenue funds consist of capital land grant funds provided for in 18-2-107.       |           |           |
| 14 | DOA Mechanical Upgrade—5 South Last Chance Gulch  |           |           |
| 15 |   | 594,500   | 594,500   |
| 16 | State special revenue funds consist of capital land grant funds provided for in 18-2-107.       |           |           |
| 17 | DOA Mechanical Upgrade—2800 Airport Rd, FWP Hangar  |           |           |
| 18 |   | 1,306,272 | 1,306,272 |
| 19 | State special revenue funds consist of capital land grant funds provided for in 18-2-107.       |           |           |
| 20 | DOA Elevator Modifications—1401 East 6th, Cogswell  |           |           |
| 21 |   | 580,000   | 580,000   |
| 22 | State special revenue funds consist of capital land grant funds provided for in 18-2-107.       |           |           |
| 23 | DOA Boiler/Chiller Replacement—1315 East Lockey   |           |           |
| 24 |   | 442,250   | 442,250   |
| 25 | State special revenue funds consist of capital land grant funds provided for in 18-2-107.       |           |           |
| 26 | DOA Capitol Complex, Campus-wide Facilities Repairs and Maintenance                             |           |           |
| 27 |   | 800,000   | 800,000   |
| 28 | State special revenue funds consist of capital land grant funds provided for in 18-2-107. Funds |           |           |

1 may be used as determined by the department for energy savings, repairs, and non-routine maintenance  
 2 needs.

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

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

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

23  
 24 **NEW SECTION. Section 3. Capital development projects appropriations and authorizations. (1)**

25 The following money is appropriated to the department of administration for the indicated capital development  
 26 projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of  
 27 authorization. The department of administration is authorized to transfer the appropriations, authority, or both  
 28 among the necessary fund types for these projects:

| 1  | Agency/Project  | LRBP      | State   | Federal   | Authority | Total     |
|----|---|-----------|---------|-----------|-----------|-----------|
| 2  |   | CD        | Special | Special   | Only      |           |
| 3  |   | Fund      | Revenue | Revenue   | Sources   |           |
| 4  | MT Tech Heating System Upgrades Phase 2   |           |         |           |           |           |
| 5  |   | 3,520,000 |         |           |           | 3,520,000 |
| 6  | DMA Butte Readiness Center  |           |         |           |           |           |
| 7  |   | 801,249   |         | 2,195,751 |           | 2,997,000 |
| 8  | Capital development funds are an increase to the 5,000,000 of general obligation bonds, and                   |           |         |           |           |           |
| 9  | the federal special revenue is an increase to 17,000,000, both approved in Chapter 476 of the Session Laws of |           |         |           |           |           |
| 10 | 2019 for "Butte-Silver Bow County Armory".  |           |         |           |           |           |
| 11 | DMA Havre Unheated Storage Building   |           |         |           |           |           |
| 12 |   | 105,530   |         | 316,590   |           | 422,120   |
| 13 | DMA Billings AFRC Unheated Storage Expansion  |           |         |           |           |           |
| 14 |   | 77,013    |         | 231,038   |           | 308,051   |
| 15 | DOA State Health Lab Renovation, Capitol Complex  |           |         |           |           |           |
| 16 |   |           |         |           | 6,000,000 | 6,000,000 |
| 17 | DOA Commodities Warehouse Expansion, Capitol Complex  |           |         |           |           |           |
| 18 |   |           |         |           | 1,779,230 | 1,779,230 |
| 19 | MDT Terry 3-Bay ESB   | 400,000   |         |           |           | 400,000   |
| 20 | MDT White Sulphur 8-Bay ESB   |           |         |           |           |           |
| 21 |   | 1,250,000 |         |           |           | 1,250,000 |
| 22 | MDT Phillipsburg 5-Bay ESB  |           |         |           |           |           |
| 23 |   | 825,000   |         |           |           | 825,000   |
| 24 | MDT Custer 5-Bay ESB  | 825,000   |         |           |           | 825,000   |
| 25 | MDT Havre Welding Shop  |           |         |           |           |           |
| 26 |   | 400,000   |         |           |           | 400,000   |
| 27 | MDT Billings Welding Shop/Tow Plow Storage  |           |         |           |           |           |
| 28 |   | 650,000   |         |           |           | 650,000   |



1 MDT Harlem 6-Bay ESB  
 2 915,000 915,000

3 MDT Remodel/Expand Yellowstone Airport  
 4 10,000,000 10,000,000

5 Federal special revenue is an increase to 13,500,000 approved in Chapter 422 of the Session  
 6 Laws of 2019 for “MDT Remodel/Expand Yellowstone Airport Terminal”.

7 FWP Havre Area Office 1,760,000 500,000 2,260,000

8 FWP Montana Wild Avian Rehabilitation Building  
 9 600,000 600,000

10 UM Music Building Renovations 6,000,000 6,000,000

11 UM Rankin Hall Building Renovations 6,000,000 6,000,000

12 UM Mansfield Library Renovations 6,000,000 6,000,000

13 MSU Instructional Space Upgrades 2,000,000 2,000,000

14 MSU Renne Library Renovations 5,000,000 5,000,000

15 UM Montana Museum for Art and Culture 2,000,000 2,000,000

16 Authority only is an increase to 6,000,000 approved in Chapter 560 of the Session Laws of  
 17 2005 for “New Gallery Space, UM-Missoula”.

18 DOJ MLEA Scenario Training Building  
 19 3,851,475 3,851,475

20 (2) The following money is appropriated to the department of military affairs for the indicated capital  
 21 development projects from the indicated sources. Funds not requiring legislative appropriation are included for  
 22 the purpose of authorization. The department of military affairs is authorized to transfer the appropriations,  
 23 authority, or both among the necessary fund types for these projects:

| 24 | Agency/Project                       | LRBP State | Federal   | Authority | Total     |
|----|--------------------------------------|------------|-----------|-----------|-----------|
| 25 | CD                                   | Special    | Special   | Only      |           |
| 26 | Fund                                 | Revenue    | Revenue   | Sources   |           |
| 27 | DMA Ft. Harrison Barracks            |            | 6,000,000 |           | 6,000,000 |
| 28 | DMA FTH Bldg 64 RTI Addition/Remodel |            |           |           |           |

|   |                             |           |           |
|---|-----------------------------|-----------|-----------|
| 1 |                             | 2,164,500 | 2,164,500 |
| 2 | DMA FTH Bldg 1001 Draw Yard | 811,980   | 811,980   |
| 3 | DMA FTH Rail Head Yard      | 811,980   | 811,980   |
| 4 | DMA LSHTA Barracks #1       | 2,164,500 | 2,164,500 |

5

6 **NEW SECTION. Section 4. Capital improvement projects -- appropriations and authorizations.**

7 (1) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts  
8 for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative  
9 appropriation are included for the purpose of authorization. The department of fish, wildlife, and parks is  
10 authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

| 11 | Agency/Project                       | LRBP | State     | Federal   | Authority | Total     |
|----|--------------------------------------|------|-----------|-----------|-----------|-----------|
| 12 |                                      | Fund | Special   | Special   | Only      |           |
| 13 |                                      |      | Revenue   | Revenue   | Source    |           |
| 14 | Future Fisheries                     |      | 1,320,000 |           |           | 1,320,000 |
| 15 | FAS Site Protection                  |      | 2,050,000 |           | 400,000   | 2,450,000 |
| 16 | Dam Maintenance                      |      | 60,000    |           |           | 60,000    |
| 17 | Community Fishing Ponds              |      |           |           |           |           |
| 18 |                                      |      | 200,000   |           |           | 200,000   |
| 19 | Wildlife Habitat Maintenance         |      |           |           |           |           |
| 20 |                                      |      | 440,000   | 1,000,000 |           | 1,440,000 |
| 21 | Forest Management                    |      | 65,000    |           |           | 65,000    |
| 22 | Migratory Bird Program               |      | 650,000   |           |           | 650,000   |
| 23 | Upland Game Bird Enhancement Program |      |           |           |           |           |
| 24 |                                      |      | 650,000   |           |           | 650,000   |
| 25 | Smith River Corridor                 |      | 200,000   |           |           | 200,000   |
| 26 | Wildlife Habitat Improvement Program |      |           | 2,000,000 |           | 2,000,000 |
| 27 | Yellow Bay State Park Site Upgrade   |      |           |           |           |           |
| 28 |                                      |      | 1,200,000 |           |           | 1,200,000 |

|    |   |           |           |         |           |
|----|---|-----------|-----------|---------|-----------|
| 1  | Cedar Islands Infrastructure Upgrades                   |           |           |         |           |
| 2  |   | 200,000   |           |         | 200,000   |
| 3  | Hell Creek State Park                                   |           |           |         |           |
| 4  |   | 100,000   | 300,000   |         | 400,000   |
| 5  | Administrative Facilities Repairs and Major Maintenance |           |           |         |           |
| 6  |   | 1,762,150 | 500,000   |         | 2,262,150 |
| 7  | Flathead Lake Recreation Access                         |           |           |         |           |
| 8  |   | 4,959,000 | 2,900,000 |         | 7,859,000 |
| 9  | Fish Connectivity                                       | 200,000   | 1,025,000 | 615,000 | 1,840,000 |
| 10 | Home to Hunt Access                                     | 850,000   |           |         | 850,000   |
| 11 | Interpretation and Exhibit Upgrades                     |           |           |         |           |
| 12 |   |           | 500,000   |         | 500,000   |
| 13 | Lewis and Clark Caverns                                 |           |           |         |           |
| 14 |   | 600,000   |           |         | 600,000   |
| 15 | Lower Yellowstone Access                                |           |           |         |           |
| 16 |   | 4,000,000 |           |         | 4,000,000 |
| 17 | Shooting Ranges Statewide                               |           |           |         |           |
| 18 |   | 250,000   | 2,250,000 |         | 2,500,000 |
| 19 | Grant Programs  | 3,390,000 | 6,000,000 |         | 9,390,000 |
| 20 | Diversified Lodging                                     | 500,000   |           |         | 500,000   |
| 21 | Milltown SP   | 125,000   |           | 125,000 | 250,000   |
| 22 | Fort Owen SP  |           |           | 390,000 | 390,000   |
| 23 | Parks Maintenance                                       | 2,500,000 |           |         | 2,500,000 |
| 24 | Hatchery Maintenance                                    | 7,600,000 |           |         | 7,600,000 |

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

1 nonstate sources:

| Agency/Project                               | LRBP    | State   | Federal | Authority  | Total      |
|--|---------|---------|---------|------------|------------|
| Fund   | Special | Special | Special | Only       |            |
| Revenue                                      | Revenue | Revenue | Revenue | Source     |            |
| General Spending Authority, MUS All Campuses |         |         |         | 20,000,000 | 20,000,000 |

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

| Agency/Project             | LRBP    | State   | Federal   | Authority | Total     |
|----------------------------|---------|---------|-----------|-----------|-----------|
| Fund                       | Special | Special | Special   | Only      |           |
| Revenue                    | Revenue | Revenue | Revenue   | Sources   |           |
| Federal Spending Authority |         |         | 3,000,000 |           | 3,000,000 |

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

| Agency/Project                                     | LRBP    | State     | Federal | Authority | Total     |
|--|---------|-----------|---------|-----------|-----------|
| Fund   | Special | Special   | Special | Only      |           |
| Revenue  | Revenue | Revenue   | Revenue | Source    |           |
| Maintenance, Repair, and Small Projects, Statewide |         |           |         |           |           |
|  |         | 2,300,000 |         |           | 2,300,000 |

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

| Agency/Project                 | LRBP    | State     | Federal | Authority | Total     |
|--------------------------------|---------|-----------|---------|-----------|-----------|
| Fund                           | Special | Special   | Special | Only      |           |
| Revenue                        | Revenue | Revenue   | Revenue | Source    |           |
| Energy Improvements, Statewide |         |           |         |           |           |
|                                |         | 3,700,000 |         |           | 3,700,000 |

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

3  
 4 **NEW SECTION. Section 5. Land acquisition appropriations and authorizations.** The following  
 5 money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for purposes of  
 6 land acquisition, land leasing, easement purchase, or development agreements. The department of fish,  
 7 wildlife, and parks is authorized to transfer the appropriations, authority, or both among the necessary fund  
 8 types for these projects:

| Agency/Project         | LRBP | State     | Federal   | Authority | Total      |
|------------------------|------|-----------|-----------|-----------|------------|
|                        | Fund | Special   | Special   | Only      |            |
|                        |      | Revenue   | Revenue   | Source    |            |
| FAS Acquisitions       |      | 280,000   |           |           | 280,000    |
| Habitat Montana        |      | 9,550,000 | 2,000,000 |           | 11,550,000 |
| Big Horn Sheep Habitat |      | 320,000   |           |           | 320,000    |

15  
 16 **NEW SECTION. Section 6. Planning and design.** The department of administration may proceed  
 17 with the planning and design of capital projects in [either or both sections 2 and 3] prior to the receipt of other  
 18 funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and  
 19 design costs incurred before the receipt of other funding sources.

20  
 21 **NEW SECTION. Section 7. Capital projects -- contingent funds.** If a capital project is financed, in  
 22 whole or in part, with appropriations contingent upon the receipt of other funding sources, the department of  
 23 administration may not let the project for bid until a financial plan and agreement with the agency has been  
 24 approved by the director of the department of administration. A financial plan and agreement may not be  
 25 approved by the director if:

- 26 (1) the level of funding and authorization provided under the financial plan and agreement deviates
- 27 substantially from the funding level provided in [either or both sections 2 and 3] for that project; or
- 28 (2) the scope of the project is substantially altered or revised from the concept and intent for that

1 project as presented to the 67th legislature.

2

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

12

13 **Section 9.** Section 15-68-820, MCA, is amended to read:

14 **"15-68-820. Sales tax and use tax proceeds.** (1) Except as provided in subsections (2) through (6),  
15 all money collected under this chapter must, in accordance with the provisions of 17-2-124, be deposited by the  
16 department into the general fund.

17 (2) Twenty-five percent of the revenue collected on the base rental charge for rental vehicles under  
18 15-68-102(1)(b) and 15-68-102(3)(a)(ii) must be deposited in the state special revenue fund to the credit of the  
19 senior citizen and persons with disabilities transportation services account provided for in 7-14-112.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28 (6) The tax proceeds received that are transferred to a state special revenue account pursuant to

1 subsection (5)(b) are allocated to the entities."  
2

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

4 **"22-3-1303. Account -- Montana heritage center construction.** There is an account in the capital  
5 projects fund established in 17-2-102 known as the Montana heritage center construction account. The tax  
6 collections allocated in 15-68-820(3)(a) must be deposited in the account until December 30, ~~2024~~ 2025. The  
7 money in the account is authorized to the department of administration and may be used only for capital  
8 construction of the Montana heritage center."  
9

10 NEW SECTION. **Section 11. Appropriation.** There is appropriated \$37 million from the account in  
11 the capital projects fund established in 22-3-1303 to the department of administration in accordance with 17-7-  
12 212 for capital construction of the Montana heritage center. Any funds in excess of \$37 million in the account  
13 must be transferred to the general fund and the account closed upon completion of the project.  
14

15 NEW SECTION. **Section 12. Increase in state funding for program expansion or operations and**  
16 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and  
17 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 67th  
18 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.  
19

20 NEW SECTION. **Section 13. Legislative consent.** The appropriations authorized in [sections 1  
21 through 11] constitute legislative consent for the capital projects contained in [sections 1 through 11] within the  
22 meaning of 18-2-102.  
23

24 **Section 14.** Section 2, Chapter 422, Laws of 2019, is amended to read:

25 **Section 2. Capital projects appropriations and authorizations.** The portion of section 2, Chapter  
26 422, Laws of 2019, appropriating money from the indicated sources to the department of administration for  
27 transfer to the department of military affairs for capital projects is amended to read:

28 "DEPARTMENT OF MILITARY AFFAIRS



