

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	
13 Ft. Harrison Building 530 Roof Replacement				
		244,000		244,000
14 Post Engineers Remodel				
		473,850		473,850
15 Billings FMS Compound Fencing				
		99,450		99,450
16 FTH Range Vault Latrines				
		99,450		99,450
17 AASF Waste Tanks				
		137,250		137,250
18 Helena FMS MEP Rigid Concrete Paving Expansion				
		434,625		434,625
19 LSH Concrete Loading Ramp				
		122,000		122,000
20 Missoula FMS Rigid Concrete Paving				
		106,750		106,750

21
 22
 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:

9 Agency/Project	LRBP	State	Federal	Authority	Total
10	Fund	Special	Special	Only	
11		Revenue	Revenue	Source	
12	FAS Acquisitions	280,000			280,000
13	Habitat Montana	9,550,000	2,000,000		11,550,000
14	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

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

6

7 NEW SECTION. Section 15. Severability. If a part of [this act] is invalid, all valid parts that are

8 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,

9 the part remains in effect in all valid applications that are severable from the invalid applications.

10

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

12

- END -