

OFFICE OF THE GOVERNOR
STATE OF MONTANA

GREG GIANFORTE
GOVERNOR



KRISTEN JURAS
LT. GOVERNOR

May 23, 2023

The Honorable Jason Ellsworth
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Matt Regier
Speaker of the House
State Capitol
Helena, MT 59620

Dear President Ellsworth and Speaker Regier:

Working together, I'm proud of what we accomplished to provide long-range building appropriations for state facilities through House Bill 5, particularly for the Montana State Prison (MSP). As you know, after years of neglect, MSP has fallen into disrepair and does not have the capacity we require. With House Bill 5, we are making critical investments to repair MSP, expand capacity at MSP to hold convicted criminals accountable, and make our communities safer.

I appreciate the diligent, deliberative, and hard work of the House Appropriations Committee and the Senate Finance and Claims Committee. House Bill 5 largely makes prudent, necessary long-term investments in state facilities.

House Bill 5, however, also includes projects that are unnecessary, expend taxpayer resources simply by failing to leverage federal funding, or do not involve state-owned facilities. For many of the deficiencies I will identify below, they did not follow the normal process for appropriations or, at worst, were snuck into House Bill 5 at the last minute without due debate and diligence.

I appreciate Senate Majority Leader Steve Fitzpatrick's recent message to me along those lines. Majority Leader Fitzpatrick provides sound, thoughtful recommendations to bring greater fiscal restraint and responsibility to House Bill 5, and I agree with his assessment that there are "several projects and areas of spending which are unnecessary and should be removed."

We must be good stewards of taxpayer resources, and the more than \$23 million in line-item vetoes I have made ensure we are.

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return to you, with line-item vetoes, House Bill 5: “AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2025; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT TO THE MAJOR REPAIR LONG-RANGE BUILDING PROGRAM ACCOUNT AND FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT; PROVIDING FUNDING FOR RATE INCREASES TO ALLOW CONSTRUCTION; AMENDING THE DEFINITION OF AN LRBP-ELIGIBLE BUILDING; PROVIDING FOR AN EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANT PROGRAM AND CRITERIA; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS 15-65-121 AND 17-7-201, MCA; AMENDING SECTION 1(4), CHAPTER 468, LAWS OF 2021, AND SECTION 2(1), CHAPTER 461, LAWS OF 2021; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.”

First, because the Department of Military Affairs will not proceed with the following projects, I hereby veto the following, saving taxpayers more than \$3.8 million:

\$3,000,000	DMA FTH Collective Training Housing Facility (Section 3(4))
\$238,816	DMA FTH Facility LED Lighting Retrofit (Section 2(3))
\$564,250	DMA FTH Fort Harrison Lighting Upgrades (Section 2(3))
\$34,000	DMA FTH Collective Training Housing Facility (Section 3(5)(c))

Second, working with lawmakers, we proposed \$1 million in state funding for the Southwest Montana Veterans Home Sixth Cottage, with the intent that the federal government would provide matching funds. The federal government provided 65 percent of the funding and the State of Montana 35 percent for the construction of previous cottages.

House Bill 5, however, appropriates \$6 million for the project, leaving Montana taxpayers crossing our fingers that the federal government might reimburse us once we’ve spent the money. That, however, is not a wise strategy, and I will not hold my breath that the federal government will repay the state any portion. A more fiscally responsible approach is to allocate the state’s portion of the project and secure federal funds for the balance, as we have done in the past. Therefore, I hereby veto the following:

\$6,000,000	DPHHS Southwest Montana Veterans Home Sixth Cottage (Section 3(1))
-------------	--

I look forward to working with legislators to fund this very worthy project more prudently and responsibly in advance of the next regular legislative session.

Finally, Montanans count on us to be watchdogs of the hard-earned money they send to the state. House Bill 5 is intended to dedicate taxpayer resources to long-range building planning for state

facilities. Unfortunately, projects were added into House Bill 5 at the last minute without being properly vetted, discussed, and debated. Therefore, I hereby veto the following, saving taxpayers \$13,250,000:

\$8,000,000	DNRC Yellowstone Conservation Area (Section 5(11))
\$2,000,000	Department of Commerce/local park facility improvement grants (Section 5(13))
\$1,000,000	Department of Commerce/City of Columbus water and sewer system upgrades and repairs (Section 5(12))
\$1,000,000	Chippewa Cree Cultural Ceremony Building Repair (Section 5(6))
\$1,000,000	Chippewa Cree Language Immersion School (Section 5(6))
\$250,000	City of Missoula Riverfront Trail Public Plaza (Section 5(8))

Regardless of the merits of these line-item appropriations, there are more transparent, fiscally responsible methods to appropriate taxpayer dollars than racing to add unrelated projects into the state government infrastructure appropriations bill as the legislative session ends.

While the federal appropriations process in Washington, D.C. is notorious for larding up appropriations with pork, Montana is different. As fiscal conservatives, we must avoid the temptation to recklessly spend taxpayers' dollars. We must avoid appropriating funds, which are supposed to be dedicated to long-range planning for state-owned facilities, toward projects that are dedicated for neither long-range building planning nor state-owned facilities.

I look forward to working with you and other legislators in the interim to build upon the successes we achieved during the most recent legislative session, like investing in MSP, and prepare a budget that carefully guards taxpayer resources, includes thoroughly vetted projects, and makes prudent, responsible long-term investments for our state facilities.

Sincerely,



Greg Gianforte
Governor

cc: Legislative Services Division
Secretary of State Christi Jacobson