



AN ACT GENERALLY REVISING LAWS RELATING TO CAPITAL PROJECTS; APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2013; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE LONG-RANGE BUILDING PROGRAM ACCOUNT TO THE STATE GENERAL FUND; REVISING REQUIREMENTS FOR CIGARETTE TAX REVENUE; AMENDING SECTION 17-7-205, MCA; AMENDING SECTION 2, CHAPTER 3, SPECIAL LAWS OF MAY 2007, SECTION 2, CHAPTER 478, LAWS OF 2009, AND SECTION 6, CHAPTER 478, LAWS OF 2009; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

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

- (1) "Authority only" means approval provided by the legislature to expend money that does not require an appropriation, including grants, donations, auxiliary funds, proprietary funds, and university funds.
- (2) "Capital project" means the acquisition of land or improvements or the planning, capital construction, environmental cleanup, renovation, software development, furnishing, or major repair projects authorized in [sections 1 through 12].
- (3) "LRBP" means the long-range building program account in the capital projects fund type.
- (4) "Other funding sources" means money other than LRBP, state special revenue fund, or federal special revenue money that accrues to an agency under the provisions of law.

**Section 2. Capital projects appropriations and authorizations.** The following money is appropriated to the department of administration for the indicated capital projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
<b>DEPARTMENT OF ADMINISTRATION</b>						
Install Fire Protection Systems, Montana Law Enforcement Academy	600,000					600,000
Elevator and ADA Modifications, Capitol Complex		800,000				800,000
Mechanical and Energy Projects, Capitol Complex		1,592,500				1,592,500
Spending Authority, Utility Energy Conservation Funds					1,000,000	1,000,000
Authority-only funds consist of utility company energy conservation funds.						
Authority to Spend Federal Grant Funds			5,000,000			5,000,000
<b>DEPARTMENT OF CORRECTIONS</b>						
Repair Building 15 Roof, Riverside Youth Correctional Facility, Boulder	215,000					215,000
<b>DEPARTMENT OF FISH, WILDLIFE, AND PARKS</b>						
Hatchery Maintenance		575,000	575,000			1,150,000
Administrative Facilities Repair and Maintenance		1,570,500				1,570,500
<b>DEPARTMENT OF MILITARY AFFAIRS</b>						
Replace Armory Roofs, Statewide			930,000			930,000
<b>MONTANA UNIVERSITIES AND COLLEGES</b>						

Install Fire Protection Systems, Montana University System

530,000		260,000	790,000
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Authority-only funds may include federal special revenue, auxiliary, donations, grants, and higher education funds.

Hazard Mitigation Projects, Montana University System

875,000		2,850,000		1,075,000	4,800,000
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Authority-only funds may include federal special revenue, auxiliary, donations, grants, and higher education funds.

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Replace Security Key System - Montana Developmental Center, Boulder

200,000				200,000
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Preliminary Design - SW Montana Veterans' Home, Butte	475,000			475,000
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Repair Natural Gas Distribution System, Montana State Hospital, Warm Springs

250,000				250,000
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DEPARTMENT OF TRANSPORTATION

Equipment Storage Buildings, Statewide	2,158,000			2,158,000
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DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Aircraft Hangar, Kalispell			250,000		250,000
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Other funds consist of proprietary funds.

**Section 3. Capital improvements.** (1) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization:

Agency/Project	LRBP	State	Federal	Other	Authority	Total
	Fund	Special	Special	Funding	Only	



	Revenue	Revenue	Sources	
Parks Program	2,351,000	1,700,000		4,051,000
Future Fisheries	1,274,000			1,274,000
FAS Site Protection	1,474,000	400,000		1,874,000
Upland Game Bird Program	1,181,800			1,181,800
Grant Programs/Federal Projects	258,000	2,000,000		2,258,000
Milltown Dam Park Improvements	927,530	730,500		1,658,030
Wildlife Habitat Maintenance	970,000			970,000
Dam Maintenance	50,000			50,000
Smith River Corridor Enhancements	150,000			150,000
Waterfowl Program	509,000			509,000
Community Fishing Ponds	50,000			50,000

If House Bill No. 316 is not passed and approved or if House Bill No. 316 is passed and approved in a form that retains the \$500,000 allocation to the department of fish, wildlife, and parks in 15-38-202 for the purposes of 87-1-283, then \$1,000,000 of the state special revenue appropriation for Future Fisheries is appropriated from the allocation provided for in 15-38-202.

If House Bill No. 209 is passed and approved and if House Bill No. 209 amends 87-1-242(3) and (4) by allocating 50% of the money to secure wildlife habitat pursuant to 87-1-209 and 50% of the money to the maintenance account established in 87-1-230, then the state special revenue appropriation for Wildlife Habitat Maintenance is increased by \$830,000.

(2) Authority is being granted to the university of Montana in the indicated amount for the purpose of making capital improvements to campus facilities. Authority-only funds may include federal special revenue, donations, grants, and higher education funds. All costs for the operations and maintenance of any new improvements constructed under this authorization must be paid by the university of Montana from nonstate sources:

Agency/Project	LRBP	State	Federal	Other	Authority	Total
	Fund	Special	Special	Funding	Only	



	Revenue	Revenue	Sources		
General Spending Authority, UM-All Campuses				6,000,000	6,000,000

(3) Authority is being granted to Montana state university in the indicated amount for the purpose of making capital improvements to campus facilities. Authority-only funds may include federal special revenue, donations, grants, and higher education funds. All costs for the operations and maintenance of any new improvements constructed under this authorization must be paid by Montana state university from nonstate sources:

Agency/Project	LRBP	State	Federal	Other	Authority	Total
	Fund	Special	Special	Funding	Only	
		Revenue	Revenue	Sources		

General Spending Authority, MSU-All Campuses				6,000,000	6,000,000
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(4) The following money is appropriated to the department of military affairs in the indicated amount for the purpose of making capital improvements to statewide facilities. All costs for the operation and maintenance of any new improvements constructed with these funds must be paid by the department of military affairs from nonstate sources:

Agency/Project	LRBP	State	Federal	Other	Authority	Total
	Fund	Special	Special	Funding	Only	
		Revenue	Revenue	Sources		

Federal Spending Authority			2,500,000			2,500,000
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(5) The following money is appropriated to the department of transportation in the indicated amount for the purpose of making capital improvements as indicated:

Agency/Project	LRBP	State	Federal	Other	Authority	Total
	Fund	Special	Special	Funding	Only	
		Revenue	Revenue	Sources		

Statewide Maintenance, Repair, and Small Projects		2,142,000				2,142,000
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**Section 4. Land acquisition appropriation.** The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land leasing, easement purchase, or development agreements:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
Habitat Montana		8,668,000	200,000			8,868,000
Fishing Access Site Acquisition		279,000				279,000
Bighorn Sheep Habitat		538,000				538,000
Home to Hunt Access		600,000				600,000

If House Bill No. 209 is passed and approved and if House Bill No. 209 amends 87-1-242(3) and (4) by allocating 50% of the money to secure wildlife habitat pursuant to 87-1-209 and 50% of the money to the maintenance account established in 87-1-230, then the state special revenue appropriation for Habitat Montana is decreased by \$3,476,160.

The appropriation of state special revenue for Fishing Access Site Acquisition in this section is restricted to purchases of land that are 5 acres or less.

**Section 5. Environmental cleanup appropriation.** The following money is appropriated to the department of environmental quality in the indicated amount for the restricted purpose of paying Montana's share of the liability associated with the KRY site:

Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
KRY cleanup		5,850,000				5,850,000

**Section 6. Legislative branch information technology capital projects appropriation.** (1) There is appropriated to the legislative services

division \$5,975,000 from the long-range information technology program account in the capital projects fund type for the purpose of software development, consolidation, and replacement of legacy systems, which are responsible for production of the Montana Code Annotated, bills, amendments, journals of the house of representatives and the senate, and legislative minutes.

(2) Before encumbering any funds appropriated in subsection (1), the legislative services division shall submit a project plan to the legislative branch computer system planning council for approval or disapproval. The legislative branch computer system planning council shall promptly review the plan and, if necessary, make timely recommendations to the legislative services division regarding implementation of the plan.

(3) The legislative services division shall provide updates to the legislative council regarding the implementation of the capital projects funded under this section.

**Section 7. Transfer of appropriations.** The department of fish, wildlife, and parks and the department of transportation are authorized to transfer the appropriations and authority, as appropriate, in [sections 3 and 4] among the necessary fund types for these projects.

**Section 8. 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 interentity loans in accordance with 17-2-107 to pay planning and design costs incurred before the receipt of other funding sources.

**Section 9. 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 project 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 level provided in [sections 2 and 3] for that project;

or

(2) the scope of the project is substantially altered or revised from the preliminary plans presented for that project in the 2013 biennium long-range building program presented to the 62nd legislature.

**Section 10. Review by department of environmental quality.** The department of environmental quality shall review capital projects authorized in [section 2] for potential inclusion in the energy conservation program under Title 90, chapter 4, part 6. When a review shows that a capital project will result in energy improvements, that project must be submitted to the energy conservation program for funding consideration. Funding provided under the energy conservation program guidelines must be used to offset or add to the authorized funding for the project, and the amount will be dependent on the annual utility savings resulting from the facility improvement. Agencies must be notified of potential funding after the review.

**Section 11. Fund transfer.** The amount of \$11,185,622 must be transferred from the long-range building program account in the capital projects fund type to the state general fund by June 30, 2011.

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

**Section 13.** Section 17-7-205, MCA, is amended to read:

**"17-7-205. Long-range building program account.** (1) There is a long-range building program account in the capital projects fund type.

(2) Cigarette tax revenue is deposited in the account pursuant to 16-11-119 ~~must be obligated prior to obligating other funds in the account.~~

(3) Coal severance taxes allocated to the account under 15-35-108 may be appropriated for the long-range building program or debt service payments on building projects. Coal severance taxes required for general obligation bond debt service may be transferred to the debt service fund.

(4) Interest earnings, project carryover funds, administrative fees, and miscellaneous revenue must be retained in the account."

**Section 14.** Section 2, Chapter 3, Special Laws of May 2007, is amended to read:

**"Section 2. Capital project appropriations and authorizations.** The following money is appropriated for the indicated capital projects from the indicated sources to the department of administration. Funds not requiring legislative appropriation are included for the purpose of authorization. The

department of administration is authorized to transfer the appropriations and authority among the necessary fund types for these projects:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
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**MONTANA SCHOOL FOR THE DEAF AND BLIND**

Replace Boiler	600,000					600,000
Cottage Improvement					372,000	372,000

Authority only funds consist of federal special revenue, donations, and grants.

**DEPARTMENT OF ADMINISTRATION**

Roof Repairs and Replacements, Statewide	3,000,000	392,160	68,040			3,460,200
Code/Deferred Maintenance Projects, Statewide	2,300,000					2,300,000
Hazardous Materials Abatement, Statewide	500,000					500,000
Code/Deferred Maintenance Projects, Capitol Complex					550,000	550,000

Authority only funds consist of general services division internal service funds.

Upgrade Fire Protection Systems, Statewide	500,000					500,000
Fire Protection Measures, Capitol Complex					500,000	500,000

Authority only funds consist of general services division internal service funds.

Upgrade State Environmental Laboratory, Helena	1,000,000		1,000,000			2,000,000
Repair/Preserve Building Envelopes, Statewide	1,500,000					1,500,000
Campus Infrastructure Projects, Statewide	1,000,000					1,000,000

Mechanical System Improvements, Capitol Complex		1,900,000	1,900,000
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Authority only funds consist of general services division internal service funds.

Deferred Maintenance, Phase 2, MT Law Enforcement Academy			
	500,000		500,000

New Classroom Building, MT Law Enforcement Academy			
	3,750,000		3,750,000

Enterprise System Services Centers	10,500,000	4,000,000	14,500,000
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Other funds consist of capitol land grant funds.

Campus Master Planning, Statewide	400,000	250,000	650,000
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Authority only funds consist of general services division internal service funds.

Challenge Grant for Super Computer, UM-MT Tech			
	259,000	7,000,000	7,259,000

Authority only funds may include federal special revenue, donations, grants, and higher education funds.

DEPARTMENT OF CORRECTIONS

Housing Unit Upgrades, MT State Prison	1,200,000		1,200,000
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Expand Work Dorm, MT State Prison	2,500,000		2,500,000
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Expand Food Service Capacity, MT State Prison			
	<del>1,637,000</del>	293,000	<del>1,930,000</del>

	<u>445,598</u>		<u>738,598</u>
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Authority only funds consist of proprietary funds.

DEPARTMENT OF FISH, WILDLIFE, AND PARKS

Hatchery Maintenance	500,000		500,000
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Administrative Facilities Repair and Maintenance	800,000		800,000
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DEPARTMENT OF MILITARY AFFAIRS

Readiness Center, Miles City	2,480,000	7,510,970	9,990,970
Armed Forces Reserve Center, Missoula		30,903,968	30,903,968
Construct Female Showers and Latrines	290,000	290,000	580,000
Montana State Veterans' Cemetery Expansion		1,206,000	1,206,000
Disaster and Emergency Services Mobile Command Post	172,500		172,500

MONTANA UNIVERSITIES AND COLLEGES

Code Compliance/Deferred Maintenance, MT University System	3,600,000		3,600,000
Systems Improvements, MT-Tech College of Technology	925,000		925,000
Steam Distribution System Upgrades, Phase 2, UM-Missoula	2,000,000	1,000,000	3,000,000

Authority only funds consist of auxiliary funds.

Renovate Clapp Building, UM-Missoula	821,000		821,000
Renovate Armory Gym, MSU-Northern	400,000	3,250,000	3,650,000

Authority only funds consist of auxiliary funds.

Renovate Main Hall, UM-Western	4,500,000		4,500,000
Renovate McMullen Hall, MSU-Billings	1,924,500		1,924,500
Stabilize Masonry, MSU-Bozeman	2,600,000		2,600,000
Classroom/Laboratory Upgrades, MT University System	2,000,000		2,000,000

Utility Infrastructure Improvements, MSU-Bozeman			
	500,000	50,000	550,000
Authority only funds consist of auxiliary funds.			
Supplement UM-Helena College of Technology Expansion			
	4,500,000	135,000	4,635,000
Authority only funds consist of auxiliary funds.			
Supplement Great Falls College of Technology Addition			
	3,000,000		3,000,000
Supplement Billings College of Technology Expansion			
	2,217,000		2,217,000
COT Long-Range Planning, UM-Missoula	500,000		500,000
Auto Tech Center Design, MSU-Northern	<del>800,000</del>		<del>800,000</del>
	<u>190,000</u>		<u>190,000</u>
Renovate Gaines Hall, MSU-Bozeman	28,500,000		28,500,000
Law School Addition, UM-Missoula	4,200,000	5,050,000	9,250,000
Authority only funds may include federal special revenue, donations, grants, and higher education funds.			
Augment Petroleum, Bureau of Mines and Geology, UM-MT Tech			
	5,200,000		5,200,000
School of Journalism Building, UM-Missoula	500,000		500,000
Increase Authority, Museum of the Rockies, MSU-Bozeman		3,500,000	3,500,000
Authority only funds may include federal special revenue, donations, grants, and higher education funds.			
School of Education Building, UM-Missoula		7,500,000	7,500,000
Authority only funds may include federal special revenue, donations, grants, and higher education funds.			

New Parking Structure, UM-Missoula		5,000,000	5,000,000
Authority only funds may include federal special revenue, auxiliary, donations, grants, and higher education funds.			
Montana Agricultural Extension Services Research Centers and Farms			
	5,000,000	1,250,000	6,250,000
Authority is granted to Montana state university in the indicated amounts for the purpose of making capital improvements to the designated facilities.			
Authority only funds may include any type of nonstate funding.			
Animal Bioscience Facility, MSU-Bozeman	3,570,000		3,570,000
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES			
Receiv. Hospital Renovat., MT State Hospital, Warm Springs			
	<del>5,800,000</del>		<del>5,800,000</del>
	<u>1,300,000</u>		<u>1,300,000</u>
Renovate/Improve Support Services, MT State Hospital			
	4,500,000		4,500,000
MT Mental Health Nursing Care Center Improvements, Lewistown			
	750,000		750,000
Montana Veterans' Home Improvements	1,413,000		1,413,000
Improve Campus, MT State Hospital, Warm Springs			
	1,280,000		1,280,000
DEPARTMENT OF TRANSPORTATION			
Equipment Storage Buildings, Statewide	2,700,000		2,700,000
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION			
Code/Deferred Maintenance and Small Projects, DNRC Unit Campuses, Statewide			
	750,000		750,000

Co-locate DNRC/DEQ, Kalispell	3,500,000		3,500,000
Consolidate DNRC Divisions, Missoula	2,000,000		2,000,000
Building Addition, Billings Oil and Gas Office		750,000	750,000
DEPARTMENT OF JUSTICE			
Purchase Forensic Science Lab Building	7,250,000		7,250,000"

**Section 15.** Section 2, Chapter 478, Laws of 2009, is amended to read:

**"Section 2. Capital project appropriations and authorizations.** The following money is appropriated for the indicated capital projects to the department of environmental quality for state building energy conservation funds and from all other indicated sources to the department of administration. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to transfer the appropriations and/or authority among the necessary fund types for these projects:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
MONTANA SCHOOL FOR THE DEAF AND BLIND						
Energy and Facility Improvements	250,000			25,000		275,000

Other funds consist of state building energy conservation funds.

DEPARTMENT OF ADMINISTRATION

Renovation and Energy Improvements State Liquor Warehouse				2,210,000		2,210,000
Mechanical and Energy Projects Capitol Complex			1,924,000		1,600,000	3,524,000

Other funds consist of 460,000 of state building energy conservation funds and 1,750,000 of proprietary funds.

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs.

Authority-only funds consist of general services division internal service funds.

Energy Related Deferred Maintenance, Statewide

1,073,568	1,276,432	2,350,000
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs.

Spending Authority, Utility Energy Conservation Funds	2,000,000	2,000,000
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Authority-only funds consist of utility company grants, rebates and incentives.

Hazardous Materials Abatement, Statewide	400,000		400,000
Roof Repairs and Replacements, Statewide	1,310,000	700,000	2,010,000
Elevator and ADA Modifications, Capitol Complex		1,450,000	1,450,000

Authority-only funds consist of general services division internal service funds.

Repair/Preserve Building Envelopes, Statewide

	1,500,000		1,500,000
Code/Deferred Maintenance, Statewide	1,150,000		1,150,000
Infrastructure Repairs, State Capitol	<del>500,000</del>	300,000	<del>800,000</del> <u>300,000</u>

Authority-only funds consist of general services division internal service funds.

Parking Lot Upgrades, Capitol Complex		250,000	250,000
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Authority-only funds consist of general services division internal service funds.

Upgrade Fire Protection Systems, Statewide	800,000		800,000
Campus Master Planning, Statewide	200,000	100,000	200,000 500,000

Authority-only funds may include federal special revenue, auxiliary, donations, grants, and higher education funds.

DEPARTMENT OF CORRECTIONS



Energy Conservation Improvements	1,260,000	2,610,000	10,000	500,000	4,380,000
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for state energy programs.

Other funds consist of state building energy conservation funds.

Authority-only funds may include federal special revenue, donations, grants, and proprietary funds.

Alternative Energy-Biomass Boiler, MT State Prison		250,000	740,000		990,000
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Other funds consist of state building energy conservation funds.

Emergency Power System, MT State Prison	500,000				500,000
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Renovate Low Support, MT State Prison	1,660,000				1,660,000
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New Building for Youth Transition Center, Great Falls					
	<del>1,310,000</del>				<del>1,310,000</del>

	<u>60,000</u>				<u>60,000</u>
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Improve Food Production	300,000				300,000
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DEPARTMENT OF FISH, WILDLIFE, AND PARKS

Hatchery Maintenance		575,000	275,000		850,000
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Administration Facilities Repair and Maintenance		1,390,000			1,390,000
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DEPARTMENT OF MILITARY AFFAIRS

Energy Conservation Improvements		885,000	265,000		1,150,000
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Other funds consist of state building energy conservation funds.

Storm Water Improvements/Infrastructure, Phase 3, Fort Harrison		1,600,000			1,600,000
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Paving Parking Lots, Statewide	100,000	100,000			200,000
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MONTANA UNIVERSITIES AND COLLEGES



Code Compliance/Deferred Maintenance Montana University System

3,600,000 1,000,000 4,600,000

Authority-only funds may include federal special revenue, auxiliary, donations, grants, and higher education funds.

Animal Bioscience Facility, MSU-Bozeman

2,500,000 2,500,000

Renovate Existing Laboratory Facilities, MSU-Bozeman

7,500,000 7,500,000

Authority is hereby granted to Montana state university to convert existing laboratories to long-term use and to make capital improvements in the indicated amount contingent upon receipt of federal special revenue, grants, or both.

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Simulated Hospital and Child Care Center, MSU-Great Falls College of Technology

1,600,000 500,000 2,100,000

Authority only funds may include federal special revenue, auxiliary, donations, grants, and higher education funds.

Funds must be used for construction costs. Any remaining funds will be redirected to construction projects at Montana colleges of technology.

UM-Helena College of Technology Project Completion

850,000 850,000

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Improve Medical Services, MT Developmental Center, Boulder

450,000 450,000

DEPARTMENT OF TRANSPORTATION

Equipment Storage Buildings, Statewide 1,175,000

1,175,000

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Energy/Major Repairs and Small Projects, Statewide



	1,000,000		1,000,000
Building Addition, Billings Oil and Gas Office		1,300,000	1,300,000
DEPARTMENT OF AGRICULTURE			
Renovation and Energy Upgrades, State Grain Lab, Great Falls			
	525,000		525,000"

**Section 16.** Section 6, Chapter 478, Laws of 2009, is amended to read:

**"Section 6. Montana stimulus capital improvements.** (1) The following money is appropriated for the indicated capital projects from the indicated sources to the department of administration. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects.

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
Exterior Envelope Improvements, Montana Law Enforcement Academy	425,000					425,000
Facility Repairs and Improvements, WATCH East	650,000					650,000
Facility Repairs and Improvements, DNRC Swan and Stillwater Units	400,000					400,000
Renovate Low Support, Phase 2, Montana State Prison	1,240,000					1,240,000
Renovate Main Hall, Phase 2, UM-Western	6,000,000					6,000,000

Renovation/Addition to Spratt Building, Montana State Hospital	1,640,000	1,640,000	
Montana Veterans' Home Improvements, Statewide	1,200,000	1,200,000	
Consolidate DNRC Divisions, Missoula	350,000	350,000	
Office of Public Assistance, Wolf Point	<del>2,250,000</del>	<del>2,250,000</del>	
	<u>15,780</u>	<u>15,780</u>	
<del>Statewide Facilities Planning</del>	<del>400,000</del>	<del>400,000</del>	
Central Land Office Building Renovation/Replacement, DNRC	1,600,000	1,600,000	
Energy Conservation Improvements, Montana University System	12,300,000		4,500,000 16,800,000

The highest priority use of funds provided in this appropriation is to augment projects initiated with the state energy program funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and appropriated in [section 4] for the Montana university system to address related modernization, repairs, and renovation costs that the department of administration considers prudent to construct within the same project. If the federal state energy program funds are exhausted, the remaining funds in this appropriation may be used to entirely fund additional energy conservation projects and related improvements.

Rose Creek Hatchery	5,000,000	5,000,000	
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

(2) The following money is appropriated to the department of military affairs in the indicated amounts for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization. All costs for the operation and maintenance of any new improvements constructed with these funds must be paid by the department of military affairs with nonstate revenue.

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
Construct Female Latrines - Department of Military Affairs, Culbertson and Malta			451,800			451,800

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for national guard operations and maintenance.

Helicopter Dip Site - Department of Military Affairs, Fort Harrison			279,268			279,268
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for national guard operations and maintenance.

Vault Modifications - Department of Military Affairs, Statewide			500,000			500,000
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, for national guard operations and maintenance.

(3) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization.

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
Mobley Diversion Watershed			300,000			300,000

Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Fort Peck Hatchery Infrastructure			720,000			720,000
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law

111-5.

Fort Peck Hatchery Hydroelectric Generation	9,200,000	9,200,000
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law

111-5.

Willow Creek Feeder Canal Project	1,250,000	1,250,000
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law

111-5.

Vandalia Fish Passage	5,000,000	5,000,000
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Federal special revenue funds consist of federal funds received pursuant to the American Recovery and Reinvestment Act of 2009, Public Law

111-5."

**Section 17. Severability.** If a part of [this act] is invalid, all valid parts that are severable from 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 effect in all valid applications that are severable from the invalid applications.

**Section 18. Effective date.** [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,  
HB 0005, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011.

HOUSE BILL NO. 5

INTRODUCED BY J. SESSO

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

AN ACT GENERALLY REVISING LAWS RELATING TO CAPITAL PROJECTS; APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2013; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE LONG-RANGE BUILDING PROGRAM ACCOUNT TO THE STATE GENERAL FUND; REVISING REQUIREMENTS FOR CIGARETTE TAX REVENUE; AMENDING SECTION 17-7-205, MCA; AMENDING SECTION 2, CHAPTER 3, SPECIAL LAWS OF MAY 2007, SECTION 2, CHAPTER 478, LAWS OF 2009, AND SECTION 6, CHAPTER 478, LAWS OF 2009; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.