

HOUSE BILL NO. 5

INTRODUCED BY J. FITZPATRICK

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2027; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT AND A TRANSFER OF FUNDS FROM THE GENERAL FUND TO A STATE SPECIAL REVENUE FUND; PROVIDING FOR A MODIFICATION TO THE LONG-RANGE BUILDING PROGRAM; INCREASING CERTAIN VALUE THRESHOLDS FROM \$150,000 TO \$300,000; ESTABLISHING REPORTING REQUIREMENTS; ALLOWING A COMBINATION OF PREVIOUSLY APPROVED APPROPRIATIONS FOR THE CLAPP BUILDING; AMENDING SECTIONS 17-7-201, 17-7-202, 17-7-210, AND 17-7-223, MCA; AMENDING SECTION 1, CHAPTER 468, LAWS OF 2021, SECTION 9(1), CHAPTER 739, LAWS OF 2023, SECTION 14(1), CHAPTER 762, LAWS OF 2023, AND SECTION 3, CHAPTER 763, LAWS OF 2023; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 10], 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, nonstate funds, and university funds.

(2) "Capital development" has the same meaning as provided in 17-7-201(2).

(3) "Capital project" means the planning, design, renovation, construction, alteration, replacement, furnishing, repair, improvement, site, utility, or land acquisition project provided for in [sections 1 through 10].

Amendment - 2nd Reading/2nd House-tan - Requested by: Ellie Boldman - (S) Committee of the Whole

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Drafter: Julie Johnson,

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NEW SECTION. SECTION 21. OPERATIONS AND MAINTENANCE APPROPRIATION. (1) THE AMOUNT OF \$10 MILLION IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE FISCAL YEAR BEGINNING JULY 1, 2026, FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE FOR THE INDICATED NEW SETTING.

(2) IT IS THE INTENT OF THE LEGISLATURE THAT THE APPROPRIATION IN SUBSECTION (1) BECOME PART OF THE BASE BUDGET FOR THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE BIENNIUM BEGINNING JULY 1, 2027.

Section 22. Section 1, Chapter 468, Laws of 2021, is amended to read:

The portion of section 1, Chapter 468, Laws of 2021, appropriating money from the capital development account to the department of administration for the indicated capital project is amended to read:

"MONTANA UNIVERSITY SYSTEM

~~UM Forestry Conservation & Science Lab~~

25,000,000	20,000,000	45,000,000"
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Section 23. Section 3, Chapter 763, Laws of 2023, is amended to read:

The portion of section 3(1), Chapter 763, Laws of 2023, appropriating money from the capital development account to the department of administration for the indicated capital project is amended to read:

"MUS UM Clapp Building ~~Renovation~~ Replacement

27,000,000	10,000,000	37,000,000
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<u>52,000,000</u>	<u>20,000,000</u>	<u>72,000,000"</u>
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NEW SECTION. SECTION 24. Combination of capital development appropriations. (1) The architecture and engineering division of the department of administration shall combine the UM Forestry Conservation & Science Lab capital project previously authorized in section 1, Chapter 468, Laws of 2021, with the Clapp Building Replacement capital project, previously authorized in section 3, Chapter 763, Laws of 2023. The combined appropriation must result in a single facility of not more than the gross square footage of the

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existing Clapp Building on the same site and may not expand existing programs into other UM facilities or result in any new programs.

(2) The architecture and engineering division of the department of administration may reutilize portions of the existing Clapp Building, including the basement, foundation, and utility systems, or other portions of the existing building, based on analysis of the existing facility taking into consideration existing asbestos containing materials, seismic and structural conditions, mechanical and electrical or plumbing systems, energy efficiency, functionality, UM program needs, and long-term operational and maintenance costs.

NEW SECTION. Section 25. 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.

NEW SECTION. Section 26. Effective date. [This act] is effective on passage and approval.

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