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HOUSE BILL NO. 5

INTRODUCED BY M. HOPKINS, 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, 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; AMENDING THE DEFINITION OF AN LRBP-ELIGIBLE BUILDING; AMENDING SECTION 17-7-201, MCA; AMENDING SECTION 1(4), CHAPTER 468, LAWS OF 2021; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through 10], unless the context clearly indicates otherwise, 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" means capital projects provided for 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].
- (4) "LRBP capital development" means the long-range building program capital developments account in the capital projects fund type provided for in 17-7-209.
- (5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair account in the capital projects fund type provided for in 17-7-221.

Amendment - 1st Reading-white - Requested by: Bob Keenan - (H) Appropriations

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.001.034

1	MR	Special	Special	Only	
2	Fund	Revenue	Revenue	Sources	
3	DMA FTH Aviation Support Facility Energy Improvements				
4			1,067,500		1,067,500
5	DMA FTH Building 1005 Expansion and Compound Upgrades				
6			713,700		713,700
7	DMA FTH Building 530 Compound Improvements				
8			526,125		526,125
9	DMA FTH Crew Proficiency Course Tower Improvements				
10			396,934		396,934
11	DMA FTH Energy Improvements and Generator Backup				
12			320,250		320,250
13	DMA FTH Facility LED Lighting Retrofit				
14			238,816		238,816
15	DMA FTH Fort Harrison Lighting Upgrades				
16			564,250		564,250
17	DMA FTH Maintenance Shop HVAC & Controls Upgrade				
18			1,486,733		1,486,733
19	DMA FTH Training Equipment Site Retro-Commissioning				
20			569,969		569,969

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

The following money is appropriated to the department of administration for the indicated capital development 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:

27	Agency/Project	LRBP	State	Federal	Authority	Total
28	CD		Special	Special	Only	

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1	Fund	Revenue	Revenue	Sources
2	Agriculture Supplemental Ag Analytical Lab (combined with Vet Diagnostic Lab and MSU Wool Lab)			
3	3,858,000			3,858,000
4	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
5	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)			
6	4,700,000			4,700,000
7	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
8	Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)			
9	2,200,000			2,200,000
10	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
11	DPHHS DOA Supplemental State Health Lab Renovation			
12		7,000,000		7,000,000
13	Funding may be utilized by the department for project completion in the event federal grant funding			
14	expenditure deadlines are not extended for the project in section 3, Chapter 461, Laws of 2021.			
15	Revenue Supplemental Liquor Warehouse Expansion			
16		14,315,750		14,315,750
17	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
18	DPHHS Supplemental SWMVH Cottage Connectors			
19	5,250,000			5,250,000
20	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
21	MUS MT Tech Supplemental Heating Systems Upgrade			
22	2,750,000			2,750,000
23	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
24	MUS UMW Supplemental Block Hall Renovation			
25	3,600,000			3,600,000
26	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
27	MDT Supplemental West Yellowstone Airport Terminal			
28	9,000,000			9,000,000

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1 Funding may be utilized on a prorated basis by the department for project completion in the event
2 additional federal grant funding is not received for inflationary and scope adjustments for the project in section
3 2, Chapter 422, Laws of 2019, and section 3, Chapter 461, Laws of 2021, up to an aggregate of \$41,500,000
4 from all sources. This aggregate amount does not limit or restrict 17-7-211.

5 DMA Supplemental Silver Bow Readiness Center

6 5,491,795 8,221,254 13,713,049

7 Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and
8 section 3, Chapter 461, Laws of 2021.

9 MUS MAES Supplemental MAES Research Labs

10 1,604,050 1,604,050

11 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

12 DOA Supplemental Mazurek Building Renovation

13 5,000,000 5,000,000

14 Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.

15 DNRC Supplemental ELO Facilities & Shop

16 2,180,235 2,180,235

17 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

18 MUS MSU Supplemental Haynes Hall Ventilation Upgrades

19 3,400,000 3,400,000

20 Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of
21 2021.

22 MDT Supplemental Lincoln Airport SRE Building

23 250,000 250,000

24 Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.

25 FWP Supplemental Havre Area Office

26 2,199,600 620,400 2,820,000

27 Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of
28 2021.

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1	FWP Supplemental Glasgow Headquarters		
2		3,100,000	3,100,000
3	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
4	2019.		
5	FWP Supplemental Lewistown Area Office		
6		4,000,000	4,000,000
7	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
8	2019.		
9	FWP Supplemental MT Wild Avian Rehab Building		
10		550,000	550,000
11	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
12	2021.		
13	DMA Supplemental Billings AFRC Unheated Storage		
14	46,208	46,208	92,416
15	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
16	DMA Supplemental Havre Unheated Building		
17	63,318	63,318	126,636
18	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
19	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance		
20	15,903,000		15,903,000
21	DOC MSP Replace Low-Side Housing		
22	135,000,000		135,000,000
23	DPHHS Statewide Behavioral Health Initiative		
24	113,000,000		
25	DOA Renovation of Capitol Complex Offices, Implement ROWS		
26	50,000,000		50,000,000
27	DOA State Capitol Building Improvements		
28	26,316,458		26,316,458

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1	DNRC Seedling Nursery Improvements	
2	2,797,320	2,797,320
3	DOC MSP Water Line Replacement	
4	3,000,000	3,000,000
5	DOC MSP Entry/Staff Services Addition to Wallace Building	
6	12,800,000	12,800,000
7	DOC MSP Replace Roofs	
8	5,600,000	5,600,000
9	DOC MSP Xanthopoulos Building Repairs	
10	2,950,000	2,950,000
11	DOC MSP New Multi-Purpose Programs Building	
12	9,000,000	9,000,000
13	DLI Job Service Great Falls Building Renovation	
14	5,767,880	5,767,880
15	MUS UM FLBS Water and Sewer Systems	
16	2,500,000	2,500,000
17	DOC MWP Roof Replacement	
18	5,000,000	5,000,000
19	DMA Billings Readiness and Innovation Campus	
20	12,840,000	12,840,000
21	DNRC Clearwater Replacement Bunkhouse	
22	1,189,178	1,189,178
23	DNRC Anaconda Bunkhouse	
24	1,180,962	1,180,962
25	DNRC NELO Fire Ready Room	
26	445,491	445,491
27	DNRC CLO Dispatch Center Expansion	
28	545,000	545,000

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1	DPHHS MMHNCC Heated Storage Unit		
2	720,000		720,000
3	DOA Old Board of Health Renovation (Legislative Staff Space)		
4	3,500,000		3,500,000
5	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements		
6	3,000,000		3,000,000
7	DMA Helena Readiness HVAC & Temp Control Upgrade		
8	798,420	2,542,248	3,340,668
9	MUS HC Acquire and Renovate Airport Hangar		
10	3,600,000		3,600,000
11	DMA DES State Emergency Coordination Center Expansion		
12	6,581,000		6,581,000
13	MUS UM Clapp Building Renovation		
14	27,000,000	10,000,000	37,000,000
15	MUS MSU Lewis Hall Code & Instructional Renovations		
16	23,500,000	8,000,000	31,500,000
17	DOA 5 Last Chance Gulch Atrium Renovation		
18	15,558,029		15,558,029
19	MUS MT Tech Engineering Hall Renovation		
20	8,000,000		8,000,000
21	MUS MT Tech Main Hall Renovation		
22	30,000,000		30,000,000
23	MUS MAES BART Life-Safety & Programmatic Improvements		
24	10,000,000		10,000,000
25	DMA DES State Disaster Warehouse		
26	5,704,000		5,704,000
27	MUS UMW Campus Storage/Warehouse Building		
28	1,250,000		1,250,000

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1	FWP Makoshika Campground Improvement & Addition		
2		2,500,000	2,500,000
3	FWP Beartooth WMA Facilities Upgrade		
4		8,000,000	8,000,000
5	FWP Agency Staff Housing		
6		7,500,000	7,500,000
7	FWP Central Services Site Upgrades		
8		17,168,330	17,168,330
9	MDT Combination Facility Great Falls		
10		12,600,000	12,600,000
11	MDT Combination Facility Kalispell		
12		11,000,000	11,000,000
13	MDT Combination Facility Missoula		
14		10,500,000	10,500,000
15	MUS MSU Supplemental Facilities Yard Relocation		
16		8,000,000	8,000,000
17	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
18	2019.		
19	MUS UM Supplemental Mansfield Library Remodel		
20		4,000,000	4,000,000
21	Inflationary and scope adjustment funding is provided for the project in section 1, Chapter 461, Laws of		
22	2021.		
23	MUS MSU Supplemental Visual Communications Building		
24		4,000,000	4,000,000
25	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
26	2019.		
27	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
28		92,000,000	92,000,000

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1	MUS MSU Gianforte Hall, School of Computing		
2		50,000,000	50,000,000
3	MUS UM Adams Center - Student Athlete Locker Rooms		
4		6,000,000	6,000,000
5	MUS UM Campuswide Classroom Upgrades		
6		6,000,000	6,000,000
7	MUS UM Liberal Arts Building / Eck Hall		
8		4,000,000	4,000,000
9	MUS MSU Indoor Practice Facility		
10		15,000,000	15,000,000
11	MUS MT Tech Highlands College Indoor Pole Barn		
12		2,000,000	2,000,000
13	DOA Statewide Federal Spending Authority		
14		5,000,000	5,000,000
15	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
16		590,000	590,000

17 (2) The following money is appropriated to the department of military affairs for the indicated
 18 capital development projects from the indicated sources. Funds not requiring legislative appropriation are
 19 included for the purpose of authorization.

20	Agency/Project	State	Federal	Authority	Total
21		Special	Special	Only	
22		Revenue	Revenue	Sources	
23	DMA FTH Aviation Facility HVAC & Temperature Control Upgrade				
24			3,580,365		3,580,365
25	DMA FTH Collective Training Housing Facility				
26			3,000,000		3,000,000
27	DMA FTH Ready Building Addition				
28			4,700,000		4,700,000

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1 DMA FTH Training Site HVAC and Controls Upgrade
 2 2,574,002 2,574,002

3 (3) (a) Pursuant to 17-7-210, if construction of a new facility requires an immediate or future
 4 increase in state funding for program expansion or operations and maintenance, the legislature may not
 5 authorize the new facility unless it also appropriates funds for the increase in state funding for program
 6 expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year
 7 following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in
 8 this subsection (3) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-304.

9 (b) It is the legislature’s intent that the appropriations in this subsection (3) become part of the
 10 respective agency’s base budget for the biennium beginning July 1, 2025.

11 (c) The following money is appropriated for the biennium beginning July 1, 2023, to the indicated
 12 agency from the indicated sources for program expansion or operations and maintenance for the indicated new
 13 facility:

Agency/Project	General	State	Federal	Authority	Total
	Fund	Special	Special	Only	
		Revenue	Revenue	Sources	

Department of Corrections					
BSB Re-Entry Services, Acadia Facility					
	563,536				563,536

20 Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter
 21 401, Laws of 2021.

DOC MSP Replace Low-Side Housing					
	176,560				176,560

DOC MSP Entry/Staff Services Addition to Wallace Building					
	184,000				184,000

DOC MSP New Multi-Purpose Programs Building					
	100,340				100,340

28 DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths

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1		40,000	40,000
2	Department of Fish, Wildlife, and Parks		
3	FWP Beartooth WMA Facilities Upgrade		
4		80,000	80,000
5	FWP Agency Staff Housing		
6		225,000	225,000
7	FWP Central Services Site Upgrades		
8		128,762	128,762
9	Department of Military Affairs		
10	DMA Billings LAASF		
11		200,000	200,000
12	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
13	Laws of 2021.		
14	DMA DES State Emergency Coordination Center Expansion		
15		54,012	54,012
16	DMA FTH Collective Training Housing Facility		
17		34,000	34,000
18	DMA FTH Ready Building Addition		
19		26,472	26,472
20	Department of Natural Resources and Conservation		
21	DNRC Clearwater Replacement Bunkhouse		
22		27,650	27,650
23	DNRC Anaconda Bunkhouse		
24		33,180	33,180
25	DNRC NELO Fire Ready Room		
26		17,696	17,696
27	DNRC CLO Dispatch Center Expansion		
28		10,700	10,700

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1	Department of Public Health and Human Services		
2	DPHHS Statewide Behavioral Health Initiative		
3		2,503,280	2,503,280
4	DPHHS MMHNCC Heated Storage Unit		
5		21,312	21,312
6	DMA DES State Disaster Warehouse		
7		62,000	62,000
8	Montana Department of Transportation		
9	MDT Combination Facility Great Falls		
10		53,900	53,900
11	MDT Combination Facility Kalispell		
12		42,400	42,400
13	MDT Combination Facility Missoula		
14		41,800	41,800
15	Montana University System		
16	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)		
17		520,695	520,695
18	MUS HC Acquire and Renovate Airport Hangar		
19		188,133	188,133
20	MUS UMW Campus Storage/Warehouse Building		
21		63,975	63,975
22	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
23		4,000,154	4,000,154
24	MUS MSU Gianforte Hall, School of Computing		
25		1,730,858	1,730,858
26	MUS MSU Indoor Practice Facility		
27			athletics/auxiliaries funds only
28	MUS MT Tech Highlands College Indoor Pole Barn		

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1 42,671 42,671

2 (d) After receipt of a certificate of occupancy, funding appropriated in subsection (3)(c) to the
3 Montana university system Wool Lab and in section 1(4)(c), Ch. 468, L. 2021, to the department of agriculture
4 Ag Analytical Lab shall be transferred each biennium to the department of livestock.

5
6 **NEW SECTION. Section 4. Capital improvements projects.** (1) The following money is
7 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making
8 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the
9 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,
10 authority, or both among the necessary fund types for these projects:

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Source	
FWP Statewide Admin Facilities Major Maintenance				
	1,931,500		5,000,000	6,931,500
FWP Signage & Wayfinding Updates				
	2,500,000			2,500,000
FWP Erosion Control				
	2,673,000			2,673,000
FWP Community Ponds				
	200,000			200,000
FWP Forest Management				
	100,000	300,000		400,000
FWP Site Maintenance Upgrades & Improvements				
	4,572,450	1,770,750	1,193,000	7,536,200
FWP Shooting Range Development				
	1,000,000	3,000,000		4,000,000
FWP Wildlife Habitat Improvement Program Renewal				

1 NEW SECTION. Section 9. Legislative consent. The appropriations authorized in [sections 1
2 through 8] constitute legislative consent for the capital projects contained in [sections 1 through 8] within the
3 meaning of 18-2-102.
4

5 NEW SECTION. Section 10. Increase in state funding for program expansion or operations and
6 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and
7 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 68th
8 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.
9

10 NEW SECTION. Section 11. Transfer of funds. By August 15, 2023, the department of
11 administration shall ~~make the following transfers: transfer~~

12 ~~(1) — \$41,420,091 from the capital developments long-range building program account established~~
13 ~~in 17-7-209 to the major repair long-range building program account established in 17-7-221.~~

14 ~~(2) — \$113,000,000 from the general fund to the capital developments long-range building program~~
15 ~~account established in 17-7-209.~~
16

17 **Section 12.** Section 17-7-201, MCA, is amended to read:

18 "**17-7-201. Definitions.** In this part, the following definitions apply:

19 (1) (a) "Building" includes a:

20 (i) building, facility, or structure constructed or purchased wholly or in part with state money;

21 (ii) building, facility, or structure at a state institution;

22 (iii) building, facility, or structure owned or to be owned by a state agency, including the department
23 of transportation.

24 (b) The term does not include a:

25 (i) building, facility, or structure owned or to be owned by a county, city, town, school district, or
26 special improvement district;

27 (ii) facility or structure used as a component part of a highway or water conservation project.

28 (2) "Capital development" means a: