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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.

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1 (6) "Major repair" means capital projects provided for in 17-7-201(7).

2 (7) "Other funding sources" means money other than LRBP money, state special revenue, or
3 federal special revenue that accrues to an agency under the provisions of law.

4 (8) "SBECP" means funds from the state building energy conservation program account in the
5 capital projects fund type, which may be utilized on either or both major repair and capital development
6 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 | |
| DPHHS Supplemental MSH Wastewater Treatment | | | | | |
| | 1,400,000 | | | | 1,400,000 |
| Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019. | | | | | |
| DPHHS Supplemental MSH Hospital Roof | | | | | |
| | 800,000 | | | | 800,000 |
| Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | | | | |
| DPHHS Supplemental MMHNCC Roof Replacement | | | | | |
| | 1,500,000 | | | | 1,500,000 |
| Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | | | | |
| DOC Supplemental MSP/MWP/PHYCF/Xanthopolous Door Control Systems | | | | | |
| | 450,000 | | | | 450,000 |

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| | | | |
|----|---|--|-----------|
| 1 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 2 | MSDB Supplemental Mustang Center Fire Sprinkler System | | |
| 3 | 830,854 | | 830,854 |
| 4 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 5 | MUS UM Supplemental FLBS Sewer Treatment Plant | | |
| 6 | 1,100,000 | | 1,100,000 |
| 7 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 8 | MUS UM Supplemental Mansfield Library Roof Repair | | |
| 9 | 500,000 | | 500,000 |
| 10 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 11 | MUS MSU-N Supplemental Vande Bogart Library Roof Replacement | | |
| 12 | 675,000 | | 675,000 |
| 13 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 14 | DPHHS Supplemental MVH Roof Replacement | | |
| 15 | 1,600,000 | | 1,600,000 |
| 16 | State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment | | |
| 17 | funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 18 | MUS MSU Supplemental Reid Hall Fire System Upgrades | | |
| 19 | 1,000,000 | | 1,000,000 |
| 20 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 21 | MUS MSU-N Supplemental Brockmann Center HVAC Upgrade | | |
| 22 | 1,907,320 | | 1,907,320 |
| 23 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 24 | MUS UM Supplemental Clapp Building Elevator | | |
| 25 | 500,000 | | 500,000 |
| 26 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 27 | MUS UM Supplemental Stone Hall Roof Replacement | | |
| 28 | 800,000 | | 800,000 |

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| | | | |
|----|---|--|-----------|
| 1 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 2 | DNRC Supplemental Swan Lake Office Siding | | |
| 3 | 187,687 | | 187,687 |
| 4 | Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 5 | DPHHS Supplemental MVH Courtyard Improvements | | |
| 6 | 517,000 | | 517,000 |
| 7 | State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment | | |
| 8 | funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 9 | DPHHS Supplemental MVH Flooring | | |
| 10 | 367,000 | | 367,000 |
| 11 | State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment | | |
| 12 | funding is provided for the project in section 2, Chapter 461, Laws of 2021. | | |
| 13 | DPHHS Supplemental MVH ARPA HVAC | | |
| 14 | 423,039 | | 423,039 |
| 15 | State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment | | |
| 16 | funding is provided for the project in section 20, Chapter 401, Laws of 2021. | | |
| 17 | DOA Parking Garage Repairs, 5 Last Chance Gulch | | |
| 18 | 1,808,145 | | 1,808,145 |
| 19 | DOC MSP Red Light/Emergency Notification System | | |
| 20 | 1,000,000 | | 1,000,000 |
| 21 | DOC MSP Perimeter Fence Enhancement | | |
| 22 | 1,500,000 | | 1,500,000 |
| 23 | MSDB Campus Security Camera Install | | |
| 24 | 300,000 | | 300,000 |
| 25 | MUS GFC Fire Suppression System Upgrades | | |
| 26 | 500,000 | | 500,000 |
| 27 | DLI Billings UI Call Center Repairs | | |
| 28 | 1,000,000 | | 1,000,000 |

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| | | |
|----|---|-----------|
| 1 | DOC Pine Hills Roof Replacement | |
| 2 | 1,000,000 | 1,000,000 |
| 3 | DOC Eastmont HVAC System Repairs/Replacements | |
| 4 | 200,000 | 200,000 |
| 5 | DPHHS MMHNCC Site Improvements & Increase Parking | |
| 6 | 300,000 | 300,000 |
| 7 | DPHHS MMHNCC Key Card Entry System | |
| 8 | 125,000 | 125,000 |
| 9 | DPHHS MMHNCC Backup Water Well | |
| 10 | 200,000 | 200,000 |
| 11 | MSDB Create Bus Loop and Update Parking Lot | |
| 12 | 349,637 | 349,637 |
| 13 | MUS MSU Barnard Hall Failed Chiller Replacement | |
| 14 | 1,750,000 | 1,750,000 |
| 15 | DOC MWP Cooling System Upgrade | |
| 16 | 750,000 | 750,000 |
| 17 | DOJ MLEA Boiler Replacement, Admin Building | |
| 18 | 830,000 | 830,000 |
| 19 | DOA Original Governor's Mansion Repairs | |
| 20 | 600,000 | 600,000 |
| 21 | DOJ MHP Roof Replacements, Boulder Campus | |
| 22 | 1,860,000 | 1,860,000 |
| 23 | MUS UM Priority 1 Campuswide Roof Replacements | |
| 24 | 2,425,000 | 2,425,000 |
| 25 | DOC Facility-Specific Program & Master Plan | |
| 26 | 600,000 | 600,000 |
| 27 | MUS MSU-B P.E. Building Roof Replacement | |
| 28 | 2,400,000 | 2,400,000 |

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| | | | |
|----|---|-----------|-----------|
| 1 | MUS UMW Repair/Replace Sewer Mains | | |
| 2 | | 425,000 | 425,000 |
| 3 | MUS UM Upgrade/Replace Elevators | | |
| 4 | | 2,498,650 | 2,498,650 |
| 5 | MUS UM FLBS Roof Replacements | | |
| 6 | | 262,000 | 262,000 |
| 7 | DOC MWP Heating System Upgrade | | |
| 8 | | 1,500,000 | 1,500,000 |
| 9 | DOJ Missoula Crime Lab Expansion Feasibility Study | | |
| 10 | | 75,000 | 75,000 |
| 11 | MUS MT Tech Electrical Distribution Upgrades | | |
| 12 | | 650,000 | 650,000 |
| 13 | MUS MSU-B Campus Water Distribution System Upgrades | | |
| 14 | | 2,000,000 | 400,000 |
| 15 | MUS MSU Lewis Hall ADA Upgrades | | |
| 16 | | 2,400,000 | 2,400,000 |
| 17 | Funding must be reallocated by the department to other major repair projects if funding is appropriated | | |
| 18 | in [section 3] for MUS MSU Lewis Hall Code & Instructional Renovations. | | |
| 19 | MUS UM Replace Fire Alarms, Clapp Building | | |
| 20 | | 780,000 | 780,000 |
| 21 | Funding must be reallocated by the department to other major repair projects if funding is appropriated | | |
| 22 | in [section 3] for MUS UM Clapp Building Renovation. | | |
| 23 | MUS MSU Tietz Hall Roof Replacement | | |
| 24 | | 1,300,000 | 1,300,000 |
| 25 | DOC MWP Perimeter Fence/Dog Yard | | |
| 26 | | 1,000,000 | 1,000,000 |
| 27 | DOC Pine Hills Unit F Sewer Line Replacement | | |
| 28 | | 500,000 | 500,000 |

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| | | | | |
|----|---|-----------|---------|-----------|
| 1 | DOC MSP Unit F Water Supply Upgrade | | | |
| 2 | | 600,000 | | 600,000 |
| 3 | DMA Gallatin Readiness Center Roof Replacement | | | |
| 4 | | 741,455 | 741,455 | 1,482,910 |
| 5 | DOC MSP Site Infrastructure Study | | | |
| 6 | | 300,000 | | 300,000 |
| 7 | MUS MSU Cobleigh Hall Parapet Structural Repair | | | |
| 8 | | 2,400,000 | | 2,400,000 |
| 9 | MUS MT Tech Restroom Renovations | | | |
| 10 | | 1,200,000 | | 1,200,000 |
| 11 | Portions of this funding must be reallocated by the department to other major repair projects if funding | | | |
| 12 | is appropriated in [section 3] for either or both MUS MT Tech Engineering Hall Renovation and MUS MT Tech | | | |
| 13 | Main Hall Renovation. | | | |
| 14 | MUS MSU Campus Heating Plant Boiler Controls Upgrade | | | |
| 15 | | 1,600,000 | 800,000 | 2,400,000 |
| 16 | MUS MSU Emergency Water System & Fixture Upgrades | | | |
| 17 | | 2,400,000 | | 2,400,000 |
| 18 | MUS MT Tech Masonry Repairs | | | |
| 19 | | 455,000 | | 455,000 |
| 20 | MUS UMW Elevator Repairs/Replacements | | | |
| 21 | | 325,000 | | 325,000 |
| 22 | DNRC Stillwater Unit Shop Replacement | | | |
| 23 | | 1,214,837 | | 1,214,837 |
| 24 | MUS MAES WARC Shop Renovation & Safety Upgrades | | | |
| 25 | | 600,000 | | 600,000 |
| 26 | DOA Statewide FCA Baseline Assessments | | | |
| 27 | | 1,500,000 | | 1,500,000 |
| 28 | MUS MSU-N Campus EMS Building Controls Upgrade Project | | | |

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| | | | |
|----|--|---------|-----------|
| 1 | 400,000 | | 400,000 |
| 2 | MUS UM Campus Building Envelope Repairs | | |
| 3 | 415,000 | | 415,000 |
| 4 | MUS UM Replace Electrical Equipment | | |
| 5 | 325,000 | | 325,000 |
| 6 | MUS MSU-N Electronics Tech. HVAC & Lighting Upgrade | | |
| 7 | 800,000 | | 800,000 |
| 8 | MUS MAES Lambing Barn Renovation & Safety Upgrades | | |
| 9 | 2,000,000 | | 2,000,000 |
| 10 | MUS MSU Hamilton Hall Life-Safety System Improvements | | |
| 11 | 2,400,000 | | 2,400,000 |
| 12 | MUS MSU-N Pershing Hall Renovation | | |
| 13 | 2,400,000 | | 2,400,000 |
| 14 | MUS MSU-N Metals Technology Building Roof Project | | |
| 15 | 400,000 | | 400,000 |
| 16 | MUS MAES BART Demolition Project | | |
| 17 | 450,000 | | 450,000 |
| 18 | DOC MSP MCE Industries Repairs | | |
| 19 | | 700,000 | 700,000 |
| 20 | DMA Gallatin RC & FMS HVAC & Controls Repairs | | |
| 21 | 320,747 | 962,241 | 1,282,988 |
| 22 | DMA FTH HAFRC Lighting and Control Modifications | | |
| 23 | 26,768 | 324,947 | 351,715 |
| 24 | MUS HC Art Instruction Renovation | | |
| 25 | 162,500 | | 162,500 |
| 26 | DMA Statewide SMART Deferred Maintenance Program | | |
| 27 | 1,500,000 | | 1,500,000 |
| 28 | Funding may only be used by the department upon receipt of federal special revenue matching funds. | | |

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| | | | |
|----|--|----------------|----------------|
| 1 | DOJ MHP Boulder Dorm Renovations | | |
| 2 | | 250,000 | 250,000 |
| 3 | DOA Boiler & Chiller Replacement - Walt Sullivan | | |
| 4 | | 473,707 | 473,707 |
| 5 | State special revenue funds consist of capitol land grant funds provided for in 18-2-107. | | |
| 6 | DOA Elevator Modifications - Cogswell Building | | |
| 7 | | 768,757 | 768,757 |
| 8 | State special revenue funds consist of capitol land grant funds provided for in 18-2-107. | | |
| 9 | DOA Elevator Modifications - Walt Sullivan Building | | |
| 10 | | 379,763 | 379,763 |
| 11 | State special revenue funds consist of capitol land grant funds provided for in 18-2-107. | | |
| 12 | DOA Roof & Mechanical - DPHHS 111 N. Sanders | | |
| 13 | | 1,309,099 | 1,309,099 |
| 14 | State special revenue funds consist of capitol land grant funds provided for in 18-2-107. | | |
| 15 | DOA Roof Replacement - FWP Headquarters | | |
| 16 | | 289,695 | 289,695 |
| 17 | State special revenue funds consist of capitol land grant funds provided for in 18-2-107. | | |
| 18 | <u>DOA State of Montana Data Center Roof Replacement</u> | | |
| 19 | | <u>700,000</u> | <u>700,000</u> |
| 20 | <u>State special revenue funds consist of capitol land grant funds provided for in 18-2-107.</u> | | |
| 21 | MUS HC Cosmetology Program Renovation | | |
| 22 | | 2,495,000 | 2,495,000 |
| 23 | DOC MCE Food Factory Emergency Generator | | |
| 24 | | 100,000 | 100,000 |
| 25 | (2) State special revenue fund appropriations to the department of administration from the capitol | | |
| 26 | land grant fund may be adjusted among the indicated capital projects within the legislative intent, subject to | | |
| 27 | available revenue, if approved by the office of budget and program planning. | | |
| 28 | (3) The following money is appropriated to the department of military affairs for the indicated major | | |

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1 repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the
2 purpose of authorization.

| 3 | Agency/Project | LRBP | State | Federal | Authority | Total |
|----|---|------|---------|-----------|-----------|-----------|
| 4 | | MR | Special | Special | Only | |
| 5 | | Fund | Revenue | Revenue | Sources | |
| 6 | DMA FTH Aviation Support Facility Energy Improvements | | | | | |
| 7 | | | | 1,067,500 | | 1,067,500 |
| 8 | DMA FTH Building 1005 Expansion and Compound Upgrades | | | | | |
| 9 | | | | 713,700 | | 713,700 |
| 10 | DMA FTH Building 530 Compound Improvements | | | | | |
| 11 | | | | 526,125 | | 526,125 |
| 12 | DMA FTH Crew Proficiency Course Tower Improvements | | | | | |
| 13 | | | | 396,934 | | 396,934 |
| 14 | DMA FTH Energy Improvements and Generator Backup | | | | | |
| 15 | | | | 320,250 | | 320,250 |
| 16 | DMA FTH Facility LED Lighting Retrofit | | | | | |
| 17 | | | | 238,816 | | 238,816 |
| 18 | DMA FTH Fort Harrison Lighting Upgrades | | | | | |
| 19 | | | | 564,250 | | 564,250 |
| 20 | DMA FTH Maintenance Shop HVAC & Controls Upgrade | | | | | |
| 21 | | | | 1,486,733 | | 1,486,733 |
| 22 | DMA FTH Training Equipment Site Retro-Commissioning | | | | | |
| 23 | | | | 569,969 | | 569,969 |
| 24 | | | | | | |

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

26 The following money is appropriated to the department of administration for the indicated capital development
27 projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of
28 authorization. The department of administration is authorized to transfer the appropriations, authority, or both

1 Agencies must be notified of potential funding after the review and are obligated to utilize the SBECF funding, if
2 available.

3

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

7

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

12

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

15 (1) \$41,420,091 from the capital developments long-range building program account established in
16 17-7-209 to the major repair long-range building program account established in 17-7-221.

17 ~~(2) \$2,000,000 from the capital developments long-range building program account established in~~
18 ~~17-7-209 to the capitol projects land grant fund provided for in 18-2-107.~~

19 ~~(2)(3)~~ \$113,000,000 from the general fund to the capital developments long-range building program
20 account established in 17-7-209.

21

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

23 **"17-7-201. Definitions.** In this part, the following definitions apply:

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

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

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

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