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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

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1 among the necessary fund types for these projects:

2	Agency/Project LRBP	State	Federal	Authority	Total
3	CD	Special	Special	Only	
4	Fund	Revenue	Revenue	Sources	

5 Agriculture Supplemental Ag Analytical Lab (combined with Vet Diagnostic Lab and MSU Wool Lab)
 6 3,858,000 3,858,000

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

8 MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)
 9 4,700,000 4,700,000

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

11 Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)
 12 2,200,000 2,200,000

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

14 DPHHS DOA Supplemental State Health Lab Renovation
 15 7,000,000 7,000,000

16 Funding may be utilized by the department for project completion in the event federal grant funding
 17 expenditure deadlines are not extended for the project in section 3, Chapter 461, Laws of 2021.

18 Revenue Supplemental Liquor Warehouse Expansion
 19 14,315,750 14,315,750

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

21 DPHHS Supplemental SWMVH Cottage Connectors
 22 5,250,000 5,250,000

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

24 MUS MT Tech Supplemental Heating Systems Upgrade
 25 2,750,000 2,750,000

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

27 MUS UMW Supplemental Block Hall Renovation
 28 3,600,000 3,600,000

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1		2,199,600	620,400	2,820,000
2	Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of			
3	2021.			
4	FWP Supplemental Glasgow Headquarters			
5		3,100,000		3,100,000
6	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of			
7	2019.			
8	FWP Supplemental Lewistown Area Office			
9		4,000,000		4,000,000
10	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of			
11	2019.			
12	FWP Supplemental MT Wild Avian Rehab Building			
13			550,000	550,000
14	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of			
15	2021.			
16	DMA Supplemental Billings AFRC Unheated Storage			
17		46,208	46,208	92,416
18	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
19	DMA Supplemental Havre Unheated Building			
20		63,318	63,318	126,636
21	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
22	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance			
23		15,903,000		15,903,000
24	DOC MSP Replace Low-Side Housing			
25		135,000,000		135,000,000
26	DPHHS Statewide Behavioral Health Initiative			
27		113,000,000		113,000,000
28	DOA Renovation of Capitol Complex Offices, Implement ROWS			

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1	50,000,000	50,000,000
2	DOA State Capitol Building Improvements	
3	26,316,458	26,316,458
4	DNRC Seedling Nursery Improvements	
5	2,797,320	2,797,320
6	DOC MSP Water Line Replacement	
7	3,000,000	3,000,000
8	DOC MSP Entry/Staff Services Addition to Wallace Building	
9	12,800,000	12,800,000
10	DOC MSP Replace Roofs	
11	5,600,000	5,600,000
12	DOC MSP Xanthopoulos Building Repairs	
13	2,950,000	2,950,000
14	DOC MSP New Multi-Purpose Programs Building	
15	9,000,000	9,000,000
16	DLI Job Service Great Falls Building Renovation	
17	5,767,880	5,767,880
18	MUS UM FLBS Water and Sewer Systems	
19	2,500,000	2,500,000
20	DOC MWP Roof Replacement	
21	5,000,000	5,000,000
22	DMA Billings Readiness and Innovation Campus	
23	12,840,000	12,840,000
24	DNRC Clearwater Replacement Bunkhouse	
25	1,189,178	1,189,178
26	DNRC Anaconda Bunkhouse	
27	1,180,962	1,180,962
28	DNRC NELO Fire Ready Room	

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1	445,491		445,491
2	DNRC CLO Dispatch Center Expansion		
3	545,000		545,000
4	DPHHS MMHNCC Heated Storage Unit		
5	720,000		720,000
6	DOA Old Board of Health Renovation (Legislative Staff Space)		
7	3,500,000		3,500,000
8	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements		
9	3,000,000		3,000,000
10	DMA Helena Readiness HVAC & Temp Control Upgrade		
11	798,420	2,542,248	3,340,668
12	MUS HC Acquire and Renovate Airport Hangar		
13	3,600,000		3,600,000
14	DMA DES State Emergency Coordination Center Expansion		
15	6,581,000		6,581,000
16	MUS UM Clapp Building Renovation		
17	27,000,000	10,000,000	37,000,000
18	MUS MSU Lewis Hall Code & Instructional Renovations		
19	23,500,000	8,000,000	31,500,000
20	DOA 5 Last Chance Gulch Atrium Renovation		
21	15,558,029		15,558,029
22	MUS MT Tech Engineering Hall Renovation		
23	8,000,000		8,000,000
24	MUS MT Tech Main Hall Renovation		
25	30,000,000		30,000,000
26	MUS MAES BART Life-Safety & Programmatic Improvements		
27	10,000,000		10,000,000
28	DMA DES State Disaster Warehouse		

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1	5,704,000		5,704,000
2	MUS UMW Campus Storage/Warehouse Building		
3	1,250,000		1,250,000
4	FWP Makoshika Campground Improvement & Addition		
5	2,500,000	2,500,000	5,000,000
6	FWP Beartooth WMA Facilities Upgrade		
7	8,000,000		8,000,000
8	FWP Agency Staff Housing		
9	7,500,000		7,500,000
10	FWP Central Services Site Upgrades		
11	17,168,330		17,168,330
12	MDT Combination Facility Great Falls		
13	12,600,000		12,600,000
14	MDT Combination Facility Kalispell		
15	11,000,000		11,000,000
16	MDT Combination Facility Missoula		
17	10,500,000		10,500,000
18	MUS MSU Supplemental Facilities Yard Relocation		
19		8,000,000	8,000,000
20	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
21	2019.		
22	MUS UM Supplemental Mansfield Library Remodel		
23		4,000,000	4,000,000
24	Inflationary and scope adjustment funding is provided for the project in section 1, Chapter 461, Laws of		
25	2021.		
26	MUS MSU Supplemental Visual Communications Building		
27		4,000,000	4,000,000
28	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		

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1	2019.		
2	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
3		92,000,000	92,000,000
4	MUS MSU Gianforte Hall, School of Computing		
5		50,000,000	50,000,000
6	MUS UM Adams Center - Student Athlete Locker Rooms		
7		6,000,000	6,000,000
8	MUS UM Campuswide Classroom Upgrades		
9		6,000,000	6,000,000
10	MUS UM Liberal Arts Building / Eck Hall		
11		4,000,000	4,000,000
12	MUS MSU Indoor Practice Facility		
13		15,000,000	15,000,000
14	MUS MT Tech Highlands College Indoor Pole Barn		
15		2,000,000	2,000,000
16	DOA Statewide Federal Spending Authority		
17		5,000,000	5,000,000
18	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
19		590,000	590,000

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

23	Agency/Project	State	Federal	Authority	Total
24		Special	Special	Only	
25		Revenue	Revenue	Sources	
26	DMA FTH Aviation Facility HVAC & Temperature Control Upgrade				
27			3,580,365		3,580,365
28	DMA FTH Collective Training Housing Facility				

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1		3,000,000	3,000,000
2	DMA FTH Ready Building Addition		
3		4,700,000	4,700,000
4	DMA FTH Training Site HVAC and Controls Upgrade		
5		2,574,002	2,574,002

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

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

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

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

20 Department of Corrections					
21 BSB Re-Entry Services, Acadia Facility					
22	563,536				563,536

23 Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter
 24 401, Laws of 2021.

25 DOC MSP Replace Low-Side Housing					
26	176,560				176,560
27 DOC MSP Entry/Staff Services Addition to Wallace Building					
28	184,000				184,000

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1	DOC MSP New Multi-Purpose Programs Building		
2		100,340	103,340
3	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
4		40,000	40,000
5	Department of Fish, Wildlife, and Parks		
6	FWP Beartooth WMA Facilities Upgrade		
7		80,000	80,000
8	FWP Agency Staff Housing		
9		225,000	225,000
10	FWP Central Services Site Upgrades		
11		128,762	128,762
12	Department of Military Affairs		
13	DMA Billings LAASF		
14		200,000	200,000
15	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
16	Laws of 2021.		
17	DMA DES State Emergency Coordination Center Expansion		
18		54,012	54,012
19	DMA FTH Collective Training Housing Facility		
20		34,000	34,000
21	DMA FTH Ready Building Addition		
22		26,472	26,472
23	Department of Natural Resources and Conservation		
24	DNRC Clearwater Replacement Bunkhouse		
25		27,650	27,650
26	DNRC Anaconda Bunkhouse		
27		33,180	33,180
28	DNRC NELO Fire Ready Room		

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1		17,696	17,696
2	DNRC CLO Dispatch Center Expansion		
3		10,700	10,700
4	Department of Public Health and Human Services		
5	DPHHS Statewide Behavioral Health Initiative		
6		2,503,280	2,503,280
7	DPHHS MMHNCC Heated Storage Unit		
8		21,312	21,312
9	DMA DES State Disaster Warehouse		
10		62,000	62,000
11	Montana Department of Transportation		
12	MDT Combination Facility Great Falls		
13		53,900	53,900
14	MDT Combination Facility Kalispell		
15		42,400	42,400
16	MDT Combination Facility Missoula		
17		41,800	41,800
18	Montana University System		
19	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)		
20		520,695	520,695
21	MUS HC Acquire and Renovate Airport Hangar		
22		188,133	188,133
23	MUS UMW Campus Storage/Warehouse Building		
24		63,975	63,975
25	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
26		4,000,154	4,000,154
27	MUS MSU Gianforte Hall, School of Computing		
28		1,730,858	1,730,858

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1 MUS MSU Indoor Practice Facility
 2 athletics/auxiliaries funds only

3 MUS MT Tech Highlands College Indoor Pole Barn
 4 42,671 42,671

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

8
 9 **NEW SECTION. Section 4. Capital improvements projects.** (1) The following money is
 10 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making
 11 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the
 12 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,
 13 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

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1	FWP Shooting Range Development			
2		1,000,000	3,000,000	4,000,000
3	FWP Wildlife Habitat Improvement Program Renewal			
4			2,000,000	2,000,000
5	FWP Wildlife Habitat Management & Maintenance			
6		1,140,000	2,765,000	3,905,000
7	FWP Upland Game Bird Enhancement Program			
8		1,908,000	600,000	2,508,000
9	FWP Migratory Bird Wetland Program			
10		500,000		500,000
11	FWP Future Fisheries			
12		2,000,000		2,000,000
13	FWP Hatcheries Maintenance			
14		2,000,000		2,000,000
15	FWP POR Grant Programs			
16		5,000,000	6,000,000	11,000,000
17	FWP Fish Connectivity			
18		548,454	1,278,992	140,234
19	FWP PALA Access Program			
20		1,000,000		1,000,000

(2) Authority is granted to the Montana university system for the purpose of making capital improvements to campus facilities statewide. Use of authority-only funds may be allocated at not more than \$2,500,000 per project and a project may not be segregated to circumvent this limitation. All costs for the operations and maintenance of any improvements constructed under this authorization must be paid by the Montana university system from nonstate sources:

26	Agency/Project	State	Federal	Authority	Total
27		Special	Special	Only	
28		Revenue	Revenue	Sources	

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1	Agency/Project	State	Federal	Authority	Total
2		Special	Special	Only	
3		Revenue	Revenue	Sources	
4	FWP Habitat Montana	9,650,000	2,350,000		12,000,000

5

6 **NEW SECTION. Section 6. Planning and design.** The department of administration may proceed

7 with the planning and design of capital projects in either or both [sections 2 and 3] prior to the receipt of other

8 funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and

9 design costs incurred before the receipt of other funding sources.

10

11 **NEW SECTION. Section 7. Capital projects -- contingent funds.** (1) If a capital project is financed,

12 in whole or in part, with appropriations contingent upon the receipt of other funding sources, the department of

13 administration may not let the project for bid until a financial plan and agreement with the agency has been

14 approved by the director of the department of administration. A financial plan and agreement may not be

15 approved by the director if:

- 16 (a) the level of funding and authorization provided under the financial plan and agreement deviates
 - 17 substantially from the funding level provided in either or both [sections 2 and 3] for that project; or
 - 18 (b) the scope of the project is substantially altered or revised from the concept and intent for that
 - 19 project as presented to the 68th legislature.
- 20 (2) This section does not limit or restrict 17-7-211.

21

22 **NEW SECTION. Section 8. Review by department of environmental quality.** The department of

23 environmental quality shall review capital projects authorized in either or both [sections 2 and 3] for potential

24 inclusion in the state building energy conservation program (SBECP) under Title 90, chapter 4, part 6. When a

25 review shows that a capital project will result in energy or utility savings and improvements, that project must be

26 submitted to the energy conservation program for funding consideration by the SBECP. Funding provided

27 under the energy conservation program guidelines must be used to offset or add to the authorized funding for

28 the project, and the amount will be dependent on the annual utility savings resulting from the capital project.

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.

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- 1 (b) The term does not include a:
- 2 (i) building, facility, or structure owned or to be owned by a county, city, town, school district, or
- 3 special improvement district;
- 4 (ii) facility or structure used as a component part of a highway or water conservation project.
- 5 (2) "Capital development" means a:
- 6 (a) renovation, construction, alteration, site, or utility project with a total cost of \$2.5 million or
- 7 more;
- 8 (b) new facility with a construction cost of \$250,000 or more; or
- 9 (c) purchase of real property for which an appropriation is required to fund the purchase.
- 10 (3) "Construction" includes construction, repair, alteration, renovation, and equipping and
- 11 furnishing during construction, repair, or alteration.
- 12 (4) "Division" means the architecture and engineering division of the department of administration.
- 13 (5) "High-performance building" means a building that integrates and optimizes all major high-
- 14 performance building attributes, including but not limited to:
- 15 (a) energy efficiency;
- 16 (b) durability;
- 17 (c) life-cycle performance; and
- 18 (d) occupant productivity.
- 19 (6) (a) "Long-range building program-eligible building" means a building, facility, or structure
- 20 eligible for major repair account funding that:
- 21 (i) is owned or fully operated by a state agency and for which the operation and maintenance are
- 22 funded with state general fund money; or
- 23 (ii) ~~that~~ supports academic missions of the university system and for which the operation and
- 24 maintenance are funded with current unrestricted university funds.
- 25 (b) The term does not include a building, facility, or structure:
- 26 (i) owned or operated by a state agency and for which the operation and maintenance are entirely
- 27 funded with state special revenue, federal special revenue, or proprietary funds; or
- 28 (ii) that supports nonacademic functions of the university system and for which the operation and

1 maintenance are funded from nonstate and nontuition sources.

2 (7) (a) "Major repair" means:

3 (i) a renovation, alteration, replacement, or repair project with a total cost of less than \$2.5 million;

4 (ii) a site or utility improvement with a total cost of less than \$2.5 million; or

5 (iii) a new facility with a total construction cost of less than \$250,000.

6 (b) The term does not include operations and maintenance as defined in this section.

7 (8) (a) "New facility" means the construction of a new building on state property regardless of

8 funding source and includes:

9 (i) an addition to an existing building; and

10 (ii) the enclosure of space that was not previously fully enclosed.

11 (b) The term does not include the replacement of state-owned space that is demolished or that is

12 otherwise removed from state use if the total construction cost of the replacement space is less than \$2.5

13 million.

14 (9) "Operations and maintenance" means operational costs and regular, ongoing, and routine
15 repairs and maintenance funded in an agency operating budget that does not extend the capacity, function, or
16 lifespan of a facility.

17 (10) "Replacement cost of existing long-range building program-eligible building" means the current
18 replacement value of all long-range building program-eligible buildings included in the statewide facility
19 inventory and condition assessment as provided in 17-7-202."

20

21 **NEW SECTION. Section 13. Project management and supervision.** Up to \$2,000,000 is
22 appropriated from the major repair long-range building program account to the architecture and engineering
23 division for the purposes of contracted services or modified positions, and associated operating expenses, to
24 expeditiously implement [sections 1 through 9]. The division is authorized to transfer the appropriation among
25 the necessary fund types for supervision and project management.

26

27 **NEW SECTION. Section 14. Severability.** If a part of [this act] is invalid, all valid parts that are
28 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,

1 the part remains in effect in all valid applications that are severable from the invalid applications.

2

3 **Section 15.** Section 1, Chapter 468, Laws of 2021, is amended to read:

4 **Section 1. Authorizations of and appropriations for capital projects.** The portion of section
5 1(4)(c), Chapter 468, Laws of 2021, appropriating money from the general fund to the Montana university
6 system for program expansion or operations and maintenance for the indicated new facility is amended to read:

7 "Montana University System

8 UM Forestry Conservation & Science Lab \$798,659 from the general fund

9 MAES Research and Wool Laboratories \$389,402 \$305,298 from the general fund"

10

11 NEW SECTION. **Section 16. Effective date.** [This act] is effective on passage and approval.

12

- END -