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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
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
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	MUS HC Cosmetology Program Renovation		
19		2,495,000	2,495,000
20	DOC MCE Food Factory Emergency Generator		
21		100,000	100,000

(2) State special revenue fund appropriations to the department of administration from the capitol land grant fund may be adjusted among the indicated capital projects within the legislative intent, subject to available revenue, if approved by the office of budget and program planning.

(3) The following money is appropriated to the department of military affairs for the indicated major repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization.

28	Agency/Project	LRBP	State	Federal	Authority	Total
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	MR	Special	Special	Only
	Fund	Revenue	Revenue	Sources
1				
2				
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

21 (4) (a) There is appropriated \$100,000 from the long-range building program major repair account
 22 for the biennium beginning July 1, 2023, to the legislative services division to support the activities of the select
 23 committee on corrections capacity and system development established in subsection (4)(b).

24 (b) There is a select committee on corrections capacity and system development. The committee
 25 is composed of six members:

26 (i) three members of the house of representatives appointed by the speaker of the house of
 27 representatives; and

28 (ii) three members of the senate appointed by the president of the senate.

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- 1 (c) Committee members are entitled to receive compensation and expenses as provided in 5-2-
- 2 302.
- 3 (d) The legislative services division and the legislative fiscal division shall provide staff assistance
- 4 to the committee.
- 5 (e) The committee shall focus on establishing an overall framework for long-term facility needs and
- 6 immediate improvements for department of corrections facilities.
- 7 (f) The committee shall prepare a final report of its findings and recommendations, and draft
- 8 legislation if appropriate. The committee shall submit the final report to the legislative finance committee and
- 9 the law and justice interim committee for approval prior to submission to the governor and the 69th legislature.

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:

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
Agriculture Supplemental Ag Analytical Lab (combined with Vet Diagnostic Lab and MSU Wool Lab)					
	3,858,000				3,858,000
Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.					
MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)					
	4,700,000				4,700,000
Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.					
Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)					
	2,200,000				2,200,000
Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.					
DPHHS DOA Supplemental State Health Lab Renovation					

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1		7,000,000		7,000,000
2	Funding may be utilized by the department for project completion in the event federal grant funding			
3	expenditure deadlines are not extended for the project in section 3, Chapter 461, Laws of 2021.			
4	Revenue Supplemental Liquor Warehouse Expansion			
5		14,315,750		14,315,750
6	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
7	DPHHS Supplemental SWMVH Cottage Connectors			
8		5,250,000		5,250,000
9	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
10	MUS MT Tech Supplemental Heating Systems Upgrade			
11		2,750,000		2,750,000
12	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
13	MUS UMW Supplemental Block Hall Renovation			
14		3,600,000		3,600,000
15	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
16	MDT Supplemental West Yellowstone Airport Terminal			
17		9,000,000		9,000,000
18	Funding may be utilized on a prorated basis by the department for project completion in the event			
19	additional federal grant funding is not received for inflationary and scope adjustments for the project in section			
20	2, Chapter 422, Laws of 2019, and section 3, Chapter 461, Laws of 2021, up to an aggregate of \$41,500,000			
21	from all sources. This aggregate amount does not limit or restrict 17-7-211.			
22	DMA Supplemental Silver Bow Readiness Center			
23		5,491,795	8,221,254	13,713,049
24	Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and			
25	section 3, Chapter 461, Laws of 2021.			
26	MUS MAES Supplemental MAES Research Labs			
27		1,604,050		1,604,050
28	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			

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1	DOA Supplemental Mazurek Building Renovation		
2		5,000,000	5,000,000
3	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
4	DNRC Supplemental ELO Facilities & Shop		
5		2,180,235	2,180,235
6	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
7	MUS MSU Supplemental Haynes Hall Ventilation Upgrades		
8		3,400,000	3,400,000
9	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
10	2021.		
11	MDT Supplemental Lincoln Airport SRE Building		
12		250,000	250,000
13	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
14	FWP Supplemental Havre Area Office		
15		2,199,600 620,400	2,820,000
16	Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of		
17	2021.		
18	FWP Supplemental Glasgow Headquarters		
19		3,100,000	3,100,000
20	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
21	2019.		
22	FWP Supplemental Lewistown Area Office		
23		4,000,000	4,000,000
24	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
25	2019.		
26	FWP Supplemental MT Wild Avian Rehab Building		
27		550,000	550,000
28	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		

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1	2021.			
2	DMA Supplemental Billings AFRC Unheated Storage			
3		46,208	46,208	92,416
4	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
5	DMA Supplemental Havre Unheated Building			
6		63,318	63,318	126,636
7	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
8	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance			
9		15,903,000		15,903,000
10	DOC MSP Replace Low-Side Housing			
11		135,000,000		135,000,000
12	DPHHS Statewide Behavioral Health Initiative			
13		113,000,000		113,000,000
14	DOA Renovation of Capitol Complex Offices, Implement ROWS			
15		50,000,000		50,000,000
16	DOA State Capitol Building Improvements			
17		26,316,458		26,316,458
18	DNRC Seedling Nursery Improvements			
19		2,797,320		2,797,320
20	DOC MSP Water Line Replacement			
21		3,000,000		3,000,000
22	DOC MSP Entry/Staff Services Addition to Wallace Building			
23		12,800,000		12,800,000
24	DOC MSP Replace Roofs			
25		5,600,000		5,600,000
26	DOC MSP Xanthopoulos Building Repairs			
27		2,950,000		2,950,000
28	DOC MSP New Multi-Purpose Programs Building			

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1		9,000,000		9,000,000
2	DLI Job Service Great Falls Building Renovation			
3		5,767,880		5,767,880
4	MUS UM FLBS Water and Sewer Systems			
5		2,500,000		2,500,000
6	DOC MWP Roof Replacement			
7		5,000,000		5,000,000
8	DMA Billings Readiness and Innovation Campus			
9		12,840,000		12,840,000
10	DNRC Clearwater Replacement Bunkhouse			
11		1,189,178		1,189,178
12	DNRC Anaconda Bunkhouse			
13		1,180,962		1,180,962
14	DNRC NELO Fire Ready Room			
15		445,491		445,491
16	DNRC CLO Dispatch Center Expansion			
17		545,000		545,000
18	DPHHS MMHNCC Heated Storage Unit			
19		720,000		720,000
20	DOA Old Board of Health Renovation (Legislative Staff Space)			
21		3,500,000		3,500,000
22	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements			
23		3,000,000		3,000,000
24	DMA Helena Readiness HVAC & Temp Control Upgrade			
25		798,420	2,542,248	3,340,668
26	MUS HC Acquire and Renovate Airport Hangar			
27		3,600,000		3,600,000
28	DMA DES State Emergency Coordination Center Expansion			

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1		6,581,000		6,581,000
2	MUS UM Clapp Building Renovation			
3		27,000,000	10,000,000	37,000,000
4	MUS MSU Lewis Hall Code & Instructional Renovations			
5		23,500,000	8,000,000	31,500,000
6	DOA 5 Last Chance Gulch Atrium Renovation			
7		15,558,029		15,558,029
8	MUS MT Tech Engineering Hall Renovation			
9		8,000,000		8,000,000
10	MUS MT Tech Main Hall Renovation			
11		30,000,000		30,000,000
12	MUS MAES BART Life-Safety & Programmatic Improvements			
13		10,000,000		10,000,000
14	DMA DES State Disaster Warehouse			
15		5,704,000		5,704,000
16	MUS UMW Campus Storage/Warehouse Building			
17		1,250,000		1,250,000
18	FWP Makoshika Campground Improvement & Addition			
19		2,500,000	2,500,000	5,000,000
20	FWP Beartooth WMA Facilities Upgrade			
21		8,000,000		8,000,000
22	FWP Agency Staff Housing			
23		7,500,000		7,500,000
24	FWP Central Services Site Upgrades			
25		17,168,330		17,168,330
26	MDT Combination Facility Great Falls			
27		12,600,000		12,600,000
28	MDT Combination Facility Kalispell			

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1		11,000,000	11,000,000
2	MDT Combination Facility Missoula		
3		10,500,000	10,500,000
4	MUS MSU Supplemental Facilities Yard Relocation		
5		8,000,000	8,000,000
6	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
7	2019.		
8	MUS UM Supplemental Mansfield Library Remodel		
9		4,000,000	4,000,000
10	Inflationary and scope adjustment funding is provided for the project in section 1, Chapter 461, Laws of		
11	2021.		
12	MUS MSU Supplemental Visual Communications Building		
13		4,000,000	4,000,000
14	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
15	2019.		
16	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
17		92,000,000	92,000,000
18	MUS MSU Gianforte Hall, School of Computing		
19		50,000,000	50,000,000
20	MUS UM Adams Center - Student Athlete Locker Rooms		
21		6,000,000	6,000,000
22	MUS UM Campuswide Classroom Upgrades		
23		6,000,000	6,000,000
24	MUS UM Liberal Arts Building / Eck Hall		
25		4,000,000	4,000,000
26	MUS MSU Indoor Practice Facility		
27		15,000,000	15,000,000
28	MUS MT Tech Highlands College Indoor Pole Barn		

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1		2,000,000	2,000,000
2	DOA Statewide Federal Spending Authority		
3		5,000,000	5,000,000
4	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
5		590,000	590,000

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

9	Agency/Project	State	Federal	Authority	Total
10		Special	Special	Only	
11		Revenue	Revenue	Sources	
12	DMA FTH Aviation Facility HVAC & Temperature Control Upgrade				
13			3,580,365		3,580,365
14	DMA FTH Collective Training Housing Facility				
15			3,000,000		3,000,000
16	DMA FTH Ready Building Addition				
17			4,700,000		4,700,000
18	DMA FTH Training Site HVAC and Controls Upgrade				
19			2,574,002		2,574,002

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

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

28 (c) The following money is appropriated for the biennium beginning July 1, 2023, to the indicated

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1 agency from the indicated sources for program expansion or operations and maintenance for the indicated new
 2 facility:

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

6 Department of Corrections
 7 BSB Re-Entry Services, Acadia Facility

8		563,536				563,536
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9 Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter
 10 401, Laws of 2021.

11	DOC MSP Replace Low-Side Housing					
12		176,560				176,560

13	DOC MSP Entry/Staff Services Addition to Wallace Building					
14		184,000				184,000

15	DOC MSP New Multi-Purpose Programs Building					
16		100,340				103,340

17	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths					
18					40,000	40,000

19 Department of Fish, Wildlife, and Parks
 20 FWP Beartooth WMA Facilities Upgrade

21			80,000			80,000
22	FWP Agency Staff Housing					

23			225,000			225,000
24	FWP Central Services Site Upgrades					

25			128,762			128,762
26	Department of Military Affairs					

27	DMA Billings LAASF					
28				200,000		200,000

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1	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
2	Laws of 2021.		
3	DMA DES State Emergency Coordination Center Expansion		
4		54,012	54,012
5	DMA FTH Collective Training Housing Facility		
6		34,000	34,000
7	DMA FTH Ready Building Addition		
8		26,472	26,472
9	Department of Natural Resources and Conservation		
10	DNRC Clearwater Replacement Bunkhouse		
11		27,650	27,650
12	DNRC Anaconda Bunkhouse		
13		33,180	33,180
14	DNRC NELO Fire Ready Room		
15		17,696	17,696
16	DNRC CLO Dispatch Center Expansion		
17		10,700	10,700
18	Department of Public Health and Human Services		
19	DPHHS Statewide Behavioral Health Initiative		
20		2,503,280	2,503,280
21	DPHHS MMHNCC Heated Storage Unit		
22		21,312	21,312
23	DMA DES State Disaster Warehouse		
24		62,000	62,000
25	Montana Department of Transportation		
26	MDT Combination Facility Great Falls		
27		53,900	53,900
28	MDT Combination Facility Kalispell		

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1		42,400	42,400
2	MDT Combination Facility Missoula		
3		41,800	41,800
4	Montana University System		
5	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)		
6		520,695	520,695
7	MUS HC Acquire and Renovate Airport Hangar		
8		188,133	188,133
9	MUS UMW Campus Storage/Warehouse Building		
10		63,975	63,975
11	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
12		4,000,154	4,000,154
13	MUS MSU Gianforte Hall, School of Computing		
14		1,730,858	1,730,858
15	MUS MSU Indoor Practice Facility		
16			athletics/auxiliaries funds only
17	MUS MT Tech Highlands College Indoor Pole Barn		
18		42,671	42,671

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

22
 23 **NEW SECTION. Section 4. Capital improvements projects.** (1) The following money is
 24 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making
 25 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the
 26 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,
 27 authority, or both among the necessary fund types for these projects:

28	Agency/Project	State	Federal	Authority	Total
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	Special Revenue	Special Revenue	Only Source	
1				
2				
3	FWP Statewide Admin Facilities Major Maintenance			
4	1,931,500		5,000,000	6,931,500
5	FWP Signage & Wayfinding Updates			
6	2,500,000			2,500,000
7	FWP Erosion Control			
8	2,673,000			2,673,000
9	FWP Community Ponds			
10	200,000			200,000
11	FWP Forest Management			
12	100,000	300,000		400,000
13	FWP Site Maintenance Upgrades & Improvements			
14	4,572,450	1,770,750	1,193,000	7,536,200
15	FWP Shooting Range Development			
16	1,000,000	3,000,000		4,000,000
17	FWP Wildlife Habitat Improvement Program Renewal			
18		2,000,000		2,000,000
19	FWP Wildlife Habitat Management & Maintenance			
20	1,140,000	2,765,000		3,905,000
21	FWP Upland Game Bird Enhancement Program			
22	1,908,000	600,000		2,508,000
23	FWP Migratory Bird Wetland Program			
24	500,000			500,000
25	FWP Future Fisheries			
26	2,000,000			2,000,000
27	FWP Hatcheries Maintenance			
28	2,000,000			2,000,000

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1	FWP POR Grant Programs				
2		5,000,000	6,000,000		11,000,000
3	FWP Fish Connectivity				
4		548,454	1,278,992	140,234	1,967,680
5	FWP PALA Access Program				
6		1,000,000			1,000,000

7 (2) Authority is granted to the Montana university system for the purpose of making capital
 8 improvements to campus facilities statewide. Use of authority-only funds may be allocated at not more than
 9 \$2,500,000 per project and a project may not be segregated to circumvent this limitation. All costs for the
 10 operations and maintenance of any improvements constructed under this authorization must be paid by the
 11 Montana university system from nonstate sources:

12	Agency/Project	State	Federal	Authority	Total
13		Special	Special	Only	
14		Revenue	Revenue	Sources	
15	General Spending Authority, MUS			20,000,000	20,000,000

16 (3) The following money is appropriated to the department of military affairs in the indicated
 17 amount for the purpose of making capital improvements to statewide facilities. All costs for the operation and
 18 maintenance of any improvements constructed with these funds must be paid by the department of military
 19 affairs from nonstate sources:

20	Agency/Project	State	Federal	Authority	Total
21		Special	Special	Only	
22		Revenue	Revenue	Sources	
23	DMA Federal Spending Authority		3,000,000		3,000,000

24 (4) The following money is appropriated to the department of transportation in the indicated
 25 amount for the purpose of making capital improvements to statewide facilities as indicated:

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

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1	MDT Maintenance, Repair, and Small Projects		
2		3,000,000	3,000,000

3 (5) The following money is appropriated to the department of environmental quality in the indicated
4 amount from state building energy conservation funds for the purposes of making capital improvements, and is
5 authorized to transfer the appropriation, authority, or both among the necessary fund types.

6	Agency/Project	State	Federal	Authority	Total
7		Special	Special	Only	
8		Revenue	Revenue	Sources	
9	DEQ Energy Improvements, Statewide			3,700,000	3,700,000

11 **NEW SECTION. Section 5. Land acquisition appropriations.** The following money is appropriated
12 to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land
13 leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is
14 authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

15	Agency/Project	State	Federal	Authority	Total
16		Special	Special	Only	
17		Revenue	Revenue	Sources	
18	FWP Habitat Montana	9,650,000	2,350,000		12,000,000

20 **NEW SECTION. Section 6. Planning and design.** The department of administration may proceed
21 with the planning and design of capital projects in either or both [sections 2 and 3] prior to the receipt of other
22 funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and
23 design costs incurred before the receipt of other funding sources.

25 **NEW SECTION. Section 7. Capital projects -- contingent funds.** (1) If a capital project is financed,
26 in whole or in part, with appropriations contingent upon the receipt of other funding sources, the department of
27 administration may not let the project for bid until a financial plan and agreement with the agency has been
28 approved by the director of the department of administration. A financial plan and agreement may not be

1 approved by the director if:

2 (a) the level of funding and authorization provided under the financial plan and agreement deviates
3 substantially from the funding level provided in either or both [sections 2 and 3] for that project; or

4 (b) the scope of the project is substantially altered or revised from the concept and intent for that
5 project as presented to the 68th legislature.

6 (2) This section does not limit or restrict 17-7-211.

7
8 **NEW SECTION. Section 8. Review by department of environmental quality.** The department of
9 environmental quality shall review capital projects authorized in either or both [sections 2 and 3] for potential
10 inclusion in the state building energy conservation program (SBECP) under Title 90, chapter 4, part 6. When a
11 review shows that a capital project will result in energy or utility savings and improvements, that project must be
12 submitted to the energy conservation program for funding consideration by the SBECP. Funding provided
13 under the energy conservation program guidelines must be used to offset or add to the authorized funding for
14 the project, and the amount will be dependent on the annual utility savings resulting from the capital project.
15 Agencies must be notified of potential funding after the review and are obligated to utilize the SBECP funding, if
16 available.

17
18 **NEW SECTION. Section 9. Legislative consent.** The appropriations authorized in [sections 1
19 through 8] constitute legislative consent for the capital projects contained in [sections 1 through 8] within the
20 meaning of 18-2-102.

21
22 **NEW SECTION. Section 10. Increase in state funding for program expansion or operations and**
23 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and
24 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 68th
25 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

26
27 **NEW SECTION. Section 11. Transfer of funds.** By August 15, 2023, the department of
28 administration shall make the following transfers:

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1 (1) \$41,420,091 from the capital developments long-range building program account established in
2 17-7-209 to the major repair long-range building program account established in 17-7-221.

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

5

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

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

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

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

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

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

13 (b) The term does not include a:

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

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

17 (2) "Capital development" means a:

18 (a) renovation, construction, alteration, site, or utility project with a total cost of \$2.5 million or
19 more;

20 (b) new facility with a construction cost of \$250,000 or more; or

21 (c) purchase of real property for which an appropriation is required to fund the purchase.

22 (3) "Construction" includes construction, repair, alteration, renovation, and equipping and
23 furnishing during construction, repair, or alteration.

24 (4) "Division" means the architecture and engineering division of the department of administration.

25 (5) "High-performance building" means a building that integrates and optimizes all major high-
26 performance building attributes, including but not limited to:

27 (a) energy efficiency;

28 (b) durability;

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1 (c) life-cycle performance; and

2 (d) occupant productivity.

3 (6) (a) "Long-range building program-eligible building" means a building, facility, or structure

4 eligible for major repair account funding that:

5 (i) is owned or fully operated by a state agency and for which the operation and maintenance are
6 funded with state general fund money; or

7 (ii) ~~that~~ supports academic missions of the university system and for which the operation and
8 maintenance are funded with current unrestricted university funds.

9 (b) The term does not include a building, facility, or structure:

10 (i) owned or operated by a state agency and for which the operation and maintenance are entirely
11 funded with state special revenue, federal special revenue, or proprietary funds; or

12 (ii) that supports nonacademic functions of the university system and for which the operation and
13 maintenance are funded from nonstate and nontuition sources.

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

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

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

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

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

19 (8) (a) "New facility" means the construction of a new building on state property regardless of
20 funding source and includes:

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

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

23 (b) The term does not include the replacement of state-owned space that is demolished or that is
24 otherwise removed from state use if the total construction cost of the replacement space is less than \$2.5
25 million.

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

1 (10) "Replacement cost of existing long-range building program-eligible building" means the current
2 replacement value of all long-range building program-eligible buildings included in the statewide facility
3 inventory and condition assessment as provided in 17-7-202."
4

5 NEW SECTION. **Section 13. Project management and supervision.** Up to \$2,000,000 is
6 appropriated from the major repair long-range building program account to the architecture and engineering
7 division for the purposes of contracted services or modified positions, and associated operating expenses, to
8 expeditiously implement [sections 1 through 9]. The division is authorized to transfer the appropriation among
9 the necessary fund types for supervision and project management.
10

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

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

16 **Section 1. Authorizations of and appropriations for capital projects.** The portion of section
17 1(4)(c), Chapter 468, Laws of 2021, appropriating money from the general fund to the Montana university
18 system for program expansion or operations and maintenance for the indicated new facility is amended to read:

19 "Montana University System

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

21 MAES Research and Wood Laboratories \$389,402 ~~\$305,298~~ from the general fund"
22

23 NEW SECTION. **Section 16. Effective date.** [This act] is effective on passage and approval.
24

- END -