

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; PROVIDING FUNDING FOR RATE INCREASES TO ALLOW CONSTRUCTION; AMENDING THE DEFINITION OF AN LRBP-ELIGIBLE BUILDING; PROVIDING FOR AN EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANT PROGRAM AND CRITERIA; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 17-7-201, MCA; AMENDING SECTION 1(4), CHAPTER 468, LAWS OF 2021, AND SECTION 2(1), CHAPTER 461, 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 ~~4011~~], 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]~~ [sections 1 through 11].

(4) "LRBP capital development" means the long-range building program capital developments

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1 account in the capital projects fund type provided for in 17-7-209.

2 (5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair

3 account in the capital projects fund type provided for in 17-7-221.

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

5 (7) "Other funding sources" means money other than LRBP money, state special revenue, or

6 federal special revenue that accrues to an agency under the provisions of law.

7 (8) "SBCEP" means funds from the state building energy conservation program account in the

8 capital projects fund type, which may be utilized on either or both major repair and capital development

9 projects.

10

11 **NEW SECTION. Section 2. Major repair projects appropriations and authorizations.** (1) The

12 following money is appropriated to the department of administration for the indicated major repair projects from

13 the indicated sources. Funds not requiring legislative appropriation are included for the purpose of

14 authorization. The department of administration is authorized to adjust capital project amounts within the

15 legislative intent of the major repair account-funded projects, subject to available revenues, if approved by the

16 office of budget and program planning, and transfer the appropriations, authority, or both among the necessary

17 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

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1	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
2	DOC Supplemental MSP/MWP/PHYCF/Xanthopolous Door Control Systems		
3	450,000		450,000
4	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
5	MSDB Supplemental Mustang Center Fire Sprinkler System		
6	830,854		830,854
7	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
8	MUS UM Supplemental FLBS Sewer Treatment Plant		
9	1,100,000		1,100,000
10	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
11	MUS UM Supplemental Mansfield Library Roof Repair		
12	500,000		500,000
13	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
14	MUS MSU-N Supplemental Vande Bogart Library Roof Replacement		
15	675,000		675,000
16	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
17	DPHHS Supplemental MVH Roof Replacement		
18	1,600,000		1,600,000
19	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
20	funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
21	MUS MSU Supplemental Reid Hall Fire System Upgrades		
22	1,000,000		1,000,000
23	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
24	MUS MSU-N Supplemental Brockmann Center HVAC Upgrade		
25	1,907,320		1,907,320
26	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
27	MUS UM Supplemental Clapp Building Elevator		
28	500,000		500,000

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1	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
2	MUS UM Supplemental Stone Hall Roof Replacement		
3	800,000		800,000
4	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
5	DNRC Supplemental Swan Lake Office Siding		
6	187,687		187,687
7	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
8	DPHHS Supplemental MVH Courtyard Improvements		
9	517,000		517,000
10	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
11	funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
12	DPHHS Supplemental MVH Flooring		
13	367,000		367,000
14	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
15	funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
16	DPHHS Supplemental MVH ARPA HVAC		
17	423,039		423,039
18	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
19	funding is provided for the project in section 20, Chapter 401, Laws of 2021.		
20	<u>MUS UM-HC Supplemental Donaldson Building HVAC</u>		
21	<u>1,000,000</u>		<u>1,000,000</u>
22	<u>Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.</u>		
23	<u>MUS MSU Supplemental Montana Hall Fire System Upgrades</u>		
24	<u>220,000</u>		<u>220,000</u>
25	DOA Parking Garage Repairs, 5 Last Chance Gulch		
26	1,808,145		1,808,145
27	DOC MSP Red Light/Emergency Notification System		
28	1,000,000		1,000,000

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1	DOC MSP Perimeter Fence Enhancement		
2		1,500,000	1,500,000
3	MSDB Campus Security Camera Install		
4		300,000	300,000
5	MUS GFC Fire Suppression System Upgrades		
6		500,000	500,000
7	DLI Billings UI Call Center Repairs		
8		1,000,000	1,000,000
9	DOC Pine Hills Roof Replacement		
10		1,000,000	1,000,000
11	DOC Eastmont HVAC System Repairs/Replacements		
12		200,000	200,000
13	DPHHS MMHNCC Site Improvements & Increase Parking		
14		300,000	300,000
15	DPHHS MMHNCC Key Card Entry System		
16		125,000	125,000
17	DPHHS MMHNCC Backup Water Well		
18		200,000	200,000
19	MSDB Create Bus Loop and Update Parking Lot		
20		349,637	349,637
21	MUS MSU Barnard Hall Failed Chiller Replacement		
22		1,750,000	1,750,000
23	DOC MWP Cooling System Upgrade		
24		750,000	750,000
25	DOJ MLEA Boiler Replacement, Admin Building		
26		830,000	830,000
27	DOA Original Governor's Mansion Repairs		
28		600,000	600,000

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1	DOJ MHP Roof Replacements <u>& Upgrades</u> , Boulder Campus		
2	1,860,000		1,860,000
3	MUS UM Priority 1 Campuswide Roof Replacements		
4	2,425,000		2,425,000
5	DOC Facility-Specific Program & Master Plan		
6	600,000		600,000
7	MUS MSU-B P.E. Building Roof Replacement		
8	2,400,000		2,400,000
9	MUS UMW Repair/Replace Sewer Mains		
10	425,000		425,000
11	<u>125,000</u>		<u>125,000</u>
12	MUS UM Upgrade/Replace Elevators		
13	2,498,650		2,498,650
14	MUS UM FLBS Roof Replacements		
15	262,000		262,000
16	DOC MWP Heating System Upgrade		
17	1,500,000		1,500,000
18	DOJ Missoula Crime Lab Expansion Feasibility Study		
19	75,000		75,000
20	MUS MT Tech Electrical Distribution Upgrades		
21	650,000		650,000
22	MUS MSU-B Campus Water Distribution System Upgrades		
23	2,000,000	400,000	2,400,000
24	MUS MSU Lewis Hall ADA Upgrades		
25	2,400,000		2,400,000
26	Funding must be reallocated by the department to other major repair projects if funding is appropriated		
27	in [section 3] for MUS MSU Lewis Hall Code & Instructional Renovations.		
28	MUS UM Replace Fire Alarms, Clapp Building		

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1	780,000		780,000
2	Funding must be reallocated by the department to other major repair projects if funding is appropriated		
3	in [section 3] for MUS UM Clapp Building Renovation.		
4	MUS MSU Tietz Hall Roof Replacement		
5	1,300,000		1,300,000
6	DOC MWP Perimeter Fence/Dog Yard		
7	1,000,000		1,000,000
8	DOC Pine Hills Unit F Sewer Line Replacement		
9	500,000		500,000
10	DOC MSP Unit F Water Supply Upgrade		
11	600,000		600,000
12	DMA Gallatin Readiness Center Roof Replacement		
13	741,455	741,455	1,482,910
14	DOC MSP Site Infrastructure Study		
15	300,000		300,000
16	MUS MSU Cobleigh Hall Parapet Structural Repair		
17	2,400,000		2,400,000
18	MUS MT Tech Restroom Renovations		
19	1,200,000		1,200,000
20	Portions of this funding must be reallocated by the department to other major repair projects if funding		
21	is appropriated in [section 3] for either or both MUS MT Tech Engineering Hall Renovation and MUS MT Tech		
22	Main Hall Renovation.		
23	MUS MSU Campus Heating Plant Boiler Controls Upgrade		
24	1,600,000	800,000	2,400,000
25	MUS MSU Emergency Water System & Fixture Upgrades		
26	2,400,000		2,400,000
27	MUS MT Tech Masonry Repairs		
28	455,000		455,000

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1	MUS UMW Elevator Repairs/Replacements		
2		325,000	325,000
3	DNRC Stillwater Unit Shop Replacement		
4		1,214,837	1,214,837
5	MUS MAES WARC Shop Renovation & Safety Upgrades		
6		600,000	600,000
7	DOA Statewide FCA Baseline Assessments		
8		1,500,000	1,500,000
9	MUS MSU-N Campus EMS Building Controls Upgrade Project		
10		400,000	400,000
11	MUS UM Campus Building Envelope Repairs		
12		415,000	415,000
13	MUS UM Replace Electrical Equipment		
14		325,000	325,000
15	MUS MSU-N Electronics Tech. HVAC & Lighting Upgrade		
16		800,000	800,000
17	MUS MAES Lambing Barn Renovation & Safety Upgrades		
18		2,000,000	2,000,000
19		<u>200,000</u>	<u>200,000</u>
20	MUS MSU Hamilton Hall Life-Safety System Improvements		
21		2,400,000	2,400,000
22	MUS MSU-N Pershing Hall Renovation		
23		2,400,000	2,400,000
24	MUS MSU-N Metals Technology Building Roof Project		
25		400,000	400,000
26	MUS MAES BART Demolition Project		
27		450,000	450,000
28		<u>400,000</u>	<u>400,000</u>

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1	DOC MSP MCE Industries Repairs		
2		700,000	700,000
3		<u>700,000</u>	<u>700,000</u>
4	DMA Gallatin RC & FMS HVAC & Controls Repairs		
5		320,747	962,241
6	DMA FTH HAFRC Lighting and Control Modifications		1,282,988
7		26,768	324,947
8	MUS HC Art Instruction Renovation		
9		162,500	162,500
10	DMA Statewide SMART Deferred Maintenance Program		
11		1,500,000	1,500,000
12	Funding may only be used by the department upon receipt of federal special revenue matching funds.		
13	DOJ MHP Boulder Dorm Renovations		
14		250,000	250,000
15	MDT/FWP Clearwater Junction RV Dump Station System Repair and Renovation		
16		1,600,000	1,600,000
17	DOA Boiler & Chiller Replacement - Walt Sullivan		
18		473,707	473,707
19	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
20	DOA Elevator Modifications - Cogswell Building		
21		768,757	768,757
22	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
23	DOA Elevator Modifications - Walt Sullivan Building		
24		379,763	379,763
25	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
26	DOA Roof & Mechanical - DPHHS 111 N. Sanders		
27		1,309,099	1,309,099
28	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		

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1 DOA Roof Replacement - FWP Headquarters
 2 289,695 289,695

3 State special revenue funds consist of capitol land grant funds provided for in 18-2-107.

4 DOA State of Montana Data Center Roof Replacement

5 700,000 700,000

6 State special revenue funds consist of capitol land grant funds provided for in 18-2-107.

7 MUS HC Cosmetology Program Renovation
 8 2,495,000 2,495,000

9 DOC MCE Food Factory Emergency Generator
 10 100,000 100,000

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

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

17	Agency/Project	LRBP	State	Federal	Authority	Total
18		MR	Special	Special	Only	
19		Fund	Revenue	Revenue	Sources	
20	DMA FTH Aviation Support Facility Energy Improvements					
21				1,067,500		1,067,500
22	DMA FTH Building 1005 Expansion and Compound Upgrades					
23				713,700		713,700
24	DMA FTH Building 530 Compound Improvements					
25				526,125		526,125
26	DMA FTH Crew Proficiency Course Tower Improvements					
27				396,934		396,934
28	DMA FTH Energy Improvements and Generator Backup					

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1		320,250	320,250
2	DMA FTH Facility LED Lighting Retrofit		
3		238,816	238,816
4	DMA FTH Fort Harrison Lighting Upgrades		
5		564,250	564,250
6	DMA FTH Maintenance Shop HVAC & Controls Upgrade		
7		1,486,733	1,486,733
8	DMA FTH Training Equipment Site Retro-Commissioning		
9		569,969	569,969

10 (4) (a) There is appropriated \$100,000 from the general fund for the biennium beginning July 1,
11 2023, to the legislative services division to support the activities of the select committee on corrections capacity
12 and system development established in subsection (4)(b).

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

15 (i) three members of the house of representatives appointed by the speaker of the house of
16 representatives; and

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

18 (c) Committee members are entitled to receive compensation and expenses as provided in 5-2-
19 302.

20 (d) The legislative services division and the legislative fiscal division shall provide staff assistance
21 to the committee.

22 (e) The committee shall focus on establishing an overall framework for long-term facility needs and
23 immediate improvements for department of corrections facilities.

24 (f) The committee shall prepare a final report of its findings and recommendations, and draft
25 legislation if appropriate. The committee shall submit the final report to the legislative finance committee and
26 the law and justice interim committee for approval prior to submission to the governor and the 69th legislature.

27
28 **NEW SECTION. Section 3. Capital development projects appropriations and authorizations. (1)**

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1 The following money is appropriated to the department of administration for the indicated capital development
2 projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of
3 authorization. The department of administration is authorized to transfer the appropriations, authority, or both
4 among the necessary fund types for these projects:

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

8 Agriculture Supplemental Ag Analytical Lab (combined with Vet Diagnostic Lab and MSU Wool Lab)					
9	3,858,000				3,858,000

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

11 MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)					
12	4,700,000				4,700,000

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

14 Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)					
15	2,200,000				2,200,000

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

17 DPHHS DOA Supplemental State Health Lab Renovation					
18		7,000,000			7,000,000

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

21 Revenue Supplemental Liquor Warehouse Expansion					
22		14,315,750			14,315,750
23		<u>15,515,750</u>			<u>15,515,750</u>

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

25 DPHHS Supplemental SWMVH Cottage Connectors					
26	5,250,000				5,250,000

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

28 MUS MT Tech Supplemental Heating Systems Upgrade					
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1	2,750,000		2,750,000
2	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
3	MUS UMW Supplemental Block Hall Renovation		
4	3,600,000		3,600,000
5	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
6	MDT Supplemental West Yellowstone Airport Terminal		
7	9,000,000		9,000,000
8	Funding may be utilized on a prorated basis by the department for project completion in the event		
9	additional federal grant funding is not received for inflationary and scope adjustments for the project in section		
10	2, Chapter 422, Laws of 2019, and section 3, Chapter 461, Laws of 2021, up to an aggregate of \$41,500,000		
11	from all sources. This aggregate amount does not limit or restrict 17-7-211.		
12	DMA Supplemental Silver Bow Readiness Center		
13	5,491,795	8,221,254	13,713,049
14	Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and		
15	section 3, Chapter 461, Laws of 2021.		
16	MUS MAES Supplemental MAES Research Labs		
17	1,604,050		1,604,050
18	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
19	DOA Supplemental Mazurek Building Renovation		
20	5,000,000		5,000,000
21	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
22	DNRC Supplemental ELO Facilities & Shop		
23	2,180,235		2,180,235
24	<u>3,003,553</u>		<u>3,003,553</u>
25	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
26	MUS MSU Supplemental Haynes Hall Ventilation Upgrades		
27	3,400,000		3,400,000
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	MDT Supplemental Lincoln Airport SRE Building			
3		250,000		250,000
4	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
5	FWP Supplemental Havre Area Office			
6		2,199,600	620,400	2,820,000
7	Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of			
8	2021.			
9	<u>DOJ MLEA Supplemental Scenario Building</u>			
10		<u>2,600,000</u>		<u>2,600,000</u>
11	<u>Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.</u>			
12	FWP Supplemental Glasgow Headquarters			
13		3,100,000		3,100,000
14	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of			
15	2019.			
16	FWP Supplemental Lewistown Area Office			
17		4,000,000		4,000,000
18	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of			
19	2019.			
20	FWP Supplemental MT Wild Avian Rehab Building			
21		550,000		550,000
22	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of			
23	2021.			
24	DMA Supplemental Billings AFRC Unheated Storage			
25		46,208	46,208	92,416
26	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
27	DMA Supplemental Havre Unheated Building			
28		63,318	63,318	126,636

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1	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
2	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance		
3		15,903,000	15,903,000
4	<u>Up to \$10,000,000 of funding for the project must be used for rebuilding a water line constructed by the</u>		
5	<u>state serving the Montana State Hospital. The department is authorized to contract with Anaconda-Deer Lodge</u>		
6	<u>County for this portion of the project at the department's discretion.</u>		
7	DOC MSP Replace Low-Side Housing		
8		135,000,000	135,000,000
9		<u>156,000,000</u>	<u>156,000,000</u>
10	DPHHS Statewide Behavioral Health Initiative		
11		113,000,000	113,000,000
12	<u>DOC Flathead County Prerelease Center</u>		
13		<u>7,000,000</u>	<u>7,000,000</u>
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		<u>28,695,418</u>	<u>28,695,418</u>
19	DNRC Seedling Nursery Improvements		
20		2,797,320	2,797,320
21	DOC MSP Water Line Replacement		
22		3,000,000	3,000,000
23	DOC MSP Entry/Staff Services Addition to Wallace Building		
24		12,800,000	12,800,000
25	DOC MSP Replace Roofs		
26		5,600,000	5,600,000
27	DOC MSP Xanthopoulos Building Repairs		
28		2,950,000	2,950,000

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1	DOC MSP New Multi-Purpose Programs Building		
2		9,000,000	9,000,000
3	DLI Job Service Great Falls Building Renovation		
4		5,767,880	5,767,880
5	MUS UM FLBS Water and Sewer Systems		
6		2,500,000	2,500,000
7	DOC MWP Roof Replacement		
8		5,000,000	5,000,000
9	DMA Billings Readiness and Innovation Campus		
10		12,840,000	12,840,000
11		<u>26,840,000</u>	<u>78,840,000</u>
		<u>52,000,000</u>	
12	DNRC Clearwater Replacement Bunkhouse		
13		1,189,178	1,189,178
14	DNRC Anaconda Bunkhouse		
15		1,180,962	1,180,962
16	DNRC NELO Fire Ready Room		
17		445,491	445,491
18	DNRC CLO Dispatch Center Expansion		
19		545,000	545,000
20	DPHHS MMHNCC Heated Storage Unit		
21		720,000	720,000
22		<u>360,000</u>	<u>360,000</u>
23	<u>DPHHS Southwest Montana Veterans Home Sixth Cottage</u>		
24		<u>1,000,000</u>	<u>7,000,000</u>
25	<u>Federal funds must be obligated prior to project initiation.</u>	<u>6,000,000</u>	
26	DOA Old Board of Health Renovation (Legislative Staff Space)		
27		3,500,000	3,500,000
28	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements		

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1	3,000,000		3,000,000
2	DMA Helena Readiness HVAC & Temp Control Upgrade		
3	798,420	2,542,248	3,340,668
4	MUS HC Acquire and Renovate Airport Hangar		
5	3,600,000		3,600,000
6	DMA DES State Emergency Coordination Center Expansion		
7	6,581,000		6,581,000
8	MUS UM Clapp Building Renovation		
9	27,000,000	10,000,000	37,000,000
10	MUS MSU Lewis Hall Code & Instructional Renovations		
11	23,500,000	8,000,000	31,500,000
12	DOA 5 Last Chance Gulch Atrium Renovation		
13	15,558,029		15,558,029
14	MUS MT Tech Engineering Hall Renovation		
15	8,000,000		8,000,000
16	MUS MT Tech Main Hall Renovation		
17	30,000,000		30,000,000
18	MUS MAES BART Life-Safety & Programmatic Improvements		
19	10,000,000		10,000,000
20	DMA DES State Disaster Warehouse		
21	5,704,000		5,704,000
22	MUS UMW Campus Storage/Warehouse Building		
23	1,250,000		1,250,000
24	<u>MUS MSU-N Health and Recreation Complex</u>		
25	<u>25,000,000</u>		<u>25,000,000</u>
26	FWP Makoshika Campground Improvement & Addition		
27	2,500,000	2,500,000	5,000,000
28	FWP Beartooth WMA Facilities Upgrade		

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1		8,000,000	8,000,000
2	FWP Agency Staff Housing		
3		7,500,000	7,500,000
4	FWP Central Services Site Upgrades		
5		17,168,330	17,168,330
6		<u>10,343,330</u>	<u>10,343,330</u>
7	MDT Combination Facility Great Falls		
8		12,600,000	12,600,000
9	MDT Combination Facility Kalispell		
10		11,000,000	11,000,000
11	MDT Combination Facility Missoula		
12		10,500,000	10,500,000
13	MUS MSU Supplemental Facilities Yard Relocation		
14		8,000,000	8,000,000
15	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
16	2019.		
17	MUS UM Supplemental Mansfield Library Remodel		
18		4,000,000	4,000,000
19	Inflationary and scope adjustment funding is provided for the project in section <u>34</u> , Chapter 461, Laws		
20	of 2021.		
21	MUS MSU Supplemental Visual Communications Building		
22		4,000,000	4,000,000
23	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
24	2019.		
25	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
26		92,000,000	92,000,000
27	MUS MSU Gianforte Hall, School of Computing		
28		50,000,000	50,000,000

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1	MUS UM Adams Center - Student Athlete Locker Rooms		
2		6,000,000	6,000,000
3	MUS UM Campuswide Classroom Upgrades		
4		6,000,000	6,000,000
5	MUS UM Liberal Arts Building / Eck Hall		
6		4,000,000	4,000,000
7	MUS MSU Indoor Practice Facility		
8		15,000,000	15,000,000
9	MUS MT Tech Highlands College Indoor Pole Barn		
10		2,000,000	2,000,000
11	DOA Statewide Federal Spending Authority		
12		5,000,000	5,000,000
13	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
14		590,000	590,000
15	<u>MUS UM McGill Hall Expansion</u>		
16		<u>3,000,000</u>	<u>3,000,000</u>
17	<u>(2) (a) For the biennium beginning July 1, 2023, there is appropriated to the department of</u>		
18	<u>administration \$4 million of state special revenue for the department of fish, wildlife, and parks beartooth WMA</u>		
19	<u>facilities upgrade capital development project.</u>		
20	<u>(b) For the biennium beginning July 1, 2023, an additional \$4 million of state special revenue is</u>		
21	<u>appropriated to the department of administration for the department of fish, wildlife, and parks beartooth WMA</u>		
22	<u>facilities upgrade capital development project contingent on the department of administration providing written</u>		
23	<u>confirmation to the governor that the project is under contract.</u>		
24	<u>(c) The department of fish, wildlife, and parks shall provide a quarterly report on the status of the</u>		
25	<u>project and its associated expenditures in digital format to the legislative fiscal analyst. The report must be</u>		
26	<u>distributed by the legislative fiscal analyst to members of the legislative finance committee and the long-range</u>		
27	<u>planning budget committee provided for in 5-12-501.</u>		
28	<u>(3) (a) Except as provided in subsection (3)(b), funds appropriated for the DOC Flathead County</u>		

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1 Prerelease Center may not be expended until the department has received all necessary authorizations for the
2 proposed prerelease center.

3 (b) To secure acquisition of the facility, the department of corrections may enter into a purchase
4 option agreement with the owner not to exceed 18 months in length. The option fee must be fully credited to the
5 purchase price if the department of corrections purchases the facility. The option fee may not exceed 1% of the
6 purchase price.

7 ~~(2)(4)~~ The following money is appropriated to the department of military affairs for the indicated
8 capital development projects from the indicated sources. Funds not requiring legislative appropriation are
9 included for the purpose of authorization.

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Sources	
DMA FTH Aviation Facility HVAC & Temperature Control Upgrade		3,580,365		3,580,365
DMA FTH Collective Training Housing Facility		3,000,000		3,000,000
DMA FTH Ready Building Addition		4,700,000		4,700,000
DMA FTH Training Site HVAC and Controls Upgrade		2,574,002		2,574,002

21 ~~(3)(5)~~ (a) Pursuant to 17-7-210, if construction of a new facility requires an immediate or future
22 increase in state funding for program expansion or operations and maintenance, the legislature may not
23 authorize the new facility unless it also appropriates funds for the increase in state funding for program
24 expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year
25 following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in
26 this subsection ~~(3)(5)~~ reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-
27 304.

28 (b) It is the legislature’s intent that the appropriations in this subsection ~~(3)(5)~~ become part of the

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1 respective agency's base budget for the biennium beginning July 1, 2025.

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

5 Agency/Project	6 General	7 State	8 Federal	9 Authority	10 Total
	11 Fund	12 Special	13 Special	14 Only	
		15 Revenue	16 Revenue	17 Sources	

8 Department of Corrections

9 BSB Re-Entry Services, Acadia Facility

	10 563,536				11 563,536
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12 Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter
13 401, Laws of 2021.

14 DOC MSP Replace Low-Side Housing

	15 176,560				16 176,560
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17 DOC MSP Entry/Staff Services Addition to Wallace Building

	18 184,000				19 184,000
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20 DOC MSP New Multi-Purpose Programs Building

	21 <u>100,340</u>				22 <u>100,340</u>
--	-------------------	--	--	--	-------------------

	23 <u>103,040</u>				24 <u>103,040</u>
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25 DOC Flathead County Prerelease Center

	26 <u>3,388,560</u>				27 <u>3,388,560</u>
--	---------------------	--	--	--	---------------------

28 The appropriation for the DOC Flathead County Prerelease Center is for the fiscal year beginning July
29 1, 2024.

30 DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths

				31 40,000	32 40,000
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33 Department of Fish, Wildlife, and Parks

34 FWP Beartooth WMA Facilities Upgrade

		35 80,000			36 80,000
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1	FWP Agency Staff Housing		
2		225,000	225,000
3	FWP Central Services Site Upgrades		
4		128,762	128,762
5	Department of Military Affairs		
6	DMA Billings LAASF		
7		200,000	200,000
8	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
9	Laws of 2021.		
10	DMA DES State Emergency Coordination Center Expansion		
11		54,012	54,012
12	DMA FTH Collective Training Housing Facility		
13		34,000	34,000
14	DMA FTH Ready Building Addition		
15		26,472	26,472
16	Department of Natural Resources and Conservation		
17	DNRC Clearwater Replacement Bunkhouse		
18		27,650	27,650
19	DNRC Anaconda Bunkhouse		
20		33,180	33,180
21	DNRC NELO Fire Ready Room		
22		17,696	17,696
23	DNRC CLO Dispatch Center Expansion		
24		10,700	10,700
25	Department of Public Health and Human Services		
26	DPHHS Statewide Behavioral Health Initiative		
27		2,503,280	2,503,280
28	DPHHS MMHNCC Heated Storage Unit		

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1		21,312	21,312
2	<u>DPHHS Southwest Montana Veterans Home Sixth Cottage</u>		
3		<u>1,200,000</u>	<u>1,200,000</u>
4	DMA DES State Disaster Warehouse		
5		62,000	62,000
6	Montana Department of Transportation		
7	MDT Combination Facility Great Falls		
8		53,900	53,900
9	MDT Combination Facility Kalispell		
10		42,400	42,400
11	MDT Combination Facility Missoula		
12		41,800	41,800
13	Montana University System		
14	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)		
15		520,695	520,695
16	MUS HC Acquire and Renovate Airport Hangar		
17		188,133	188,133
18	MUS UMW Campus Storage/Warehouse Building		
19		63,975	63,975
20	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
21		4,000,154	4,000,154
22	MUS MSU Gianforte Hall, School of Computing		
23		1,730,858	1,730,858
24	MUS MSU Indoor Practice Facility		
25			athletics/auxiliaries funds only
26	MUS MT Tech Highlands College Indoor Pole Barn		
27		42,671	42,671
28	<u>MUS UM McGill Hall Expansion</u>		

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1 62,256 62,256

2 MUS MSU-N Health and Recreation Complex

3 585,240 585,240

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

7
8 **NEW SECTION. Section 4. Project priority.** (1) The department of administration shall prioritize the
9 following projects at the Montana state prison as first and shall move at all deliberate speed to have each
10 project under contract by September 30, 2023:

- 11 DOC MSP Replace Low-Side Housing
- 12 DOC MSP Perimeter Fence Enhancement
- 13 DOC MSP Unit F Water Supply Upgrade
- 14 DOC MSP Water Line Replacement
- 15 DOC MSP Entry/Staff Services Addition to Wallace Building
- 16 DOC MSP Replace Roofs
- 17 DOC MSP Xanthopoulos Building Repairs
- 18 DOC MSP New Multi-Purpose Programs Building

19 (2) To expedite construction of new low-side housing units at Montana state prison, the
20 department of administration, in consultation with the department of corrections, is authorized to purchase plans
21 for prison housing that were constructed in another state, provided those plans can be made to comply with the
22 professional services requirements of Title 18, chapter 2, and Title 37, chapters 65 and 67.

23
24 **NEW SECTION. Section 5. Capital improvements projects.** (1) The following money is
25 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making
26 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the
27 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,
28 authority, or both among the necessary fund types for these projects:

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1	Agency/Project	State	Federal	Authority	Total
2		Special	Special	Only	
3		Revenue	Revenue	Source	
4	FWP Statewide Admin Facilities Major Maintenance				
5		1,931,500		5,000,000	6,931,500
6	FWP Signage & Wayfinding Updates				
7		2,500,000			2,500,000
8		<u>1,250,000</u>			<u>1,250,000</u>
9	FWP Erosion Control				
10		2,673,000			2,673,000
11	FWP Community Ponds				
12		200,000			200,000
13	FWP Forest Management				
14		100,000	300,000		400,000
15	FWP Site Maintenance Upgrades & Improvements				
16		4,572,450	1,770,750	1,193,000	7,536,200
17	FWP Shooting Range Development				
18		1,000,000	3,000,000		4,000,000
19	FWP Wildlife Habitat Improvement Program Renewal				
20			2,000,000		2,000,000
21	FWP Wildlife Habitat Management & Maintenance				
22		1,140,000	2,765,000		3,905,000
23	FWP Upland Game Bird Enhancement Program				
24		1,908,000	600,000		2,508,000
25	FWP Migratory Bird Wetland Program				
26		500,000			500,000
27	FWP Future Fisheries				
28		2,000,000			2,000,000

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1	FWP Hatcheries Maintenance				
2		2,000,000			2,000,000
3	FWP POR Grant Programs				
4		5,000,000	6,000,000		11,000,000
5	FWP Fish Connectivity				
6		548,454	1,278,992	140,234	1,967,680
7	FWP PALA Access Program				
8		1,000,000			1,000,000

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

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

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

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

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

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

3 MDT Maintenance, Repair, and Small Projects

4	3,000,000	3,000,000
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5 (5) The following money is appropriated to the department of environmental quality in the indicated
6 amount from state building energy conservation funds for the purposes of making capital improvements, and is
7 authorized to transfer the appropriation, authority, or both among the necessary fund types.

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

12 (6) The following money is appropriated to the department of commerce in the indicated amount
13 for grants to the Chippewa Cree tribe for the purpose of the following projects:

14	<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
15		<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	
16		<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>	
17	<u>Chippewa Cree Cultural Ceremony Building Repair</u>				<u>1,000,000</u>	<u>1,000,000</u>
18	<u>Chippewa Cree Language Immersion School</u>				<u>1,000,000</u>	<u>1,000,000</u>

19 Other Funding Sources consist of one-time-only state general fund money.

20 (7) The following money is appropriated to the department of transportation in the indicated
21 amount for the purpose of constructing new public sidewalks along U.S. highway 2, from the intersection of
22 meadowlark drive to the intersection of Terry road, and from the intersection of east evergreen drive to the
23 intersection of Poplar road.

24	<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
25		<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	
26		<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>	
27	<u>MDT US Highway 2 Sidewalks Project</u>				<u>1,000,000</u>	<u>1,000,000</u>

28 Other Funding Sources consist of one-time-only state general fund money.

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1 (8) The following money is appropriated to the department of commerce in the indicated amount
2 for a grant to the city of Missoula for the purpose of the following project:

<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
	<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	
	<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>	
<u>City of Missoula Riverfront Trail Public Plaza</u>				<u>250,000</u>	<u>250,000</u>

7 Other Funding Sources consist of one-time-only state general fund money.

8 (9) The following money is appropriated to the department of revenue in the indicated amount for
9 the purpose of a state line survey project to be conducted by the U.S. bureau of land management in Mineral
10 County.

<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
	<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	
	<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>	
<u>Department of revenue/Mineral County state line survey</u>				<u>76,000</u>	<u>76,000</u>

15 Other funding sources consist of one-time-only state general fund money.

17 **NEW SECTION. Section 6. Land acquisition appropriations.** The following money is appropriated
18 to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land
19 leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is
20 authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Total</u>
	<u>Special</u>	<u>Special</u>	<u>Only</u>	
	<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	
<u>FWP Habitat Montana</u>	<u>9,650,000</u>	<u>2,350,000</u>		<u>12,000,000</u>

26 **NEW SECTION. Section 7. Planning and design.** The department of administration may proceed
27 with the planning and design of capital projects in either or both [sections 2 and 3] prior to the receipt of other
28 funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and

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

2

3 **NEW SECTION. Section 8. Capital projects -- contingent funds.** (1) If a capital project is financed,
4 in whole or in part, with appropriations contingent upon the receipt of other funding sources, the department of
5 administration may not let the project for bid until a financial plan and agreement with the agency has been
6 approved by the director of the department of administration. A financial plan and agreement may not be
7 approved by the director if:

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

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

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

13

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

23

24 **NEW SECTION. Section 10. Legislative consent.** The appropriations authorized in ~~[sections 1~~
25 ~~through 8]~~ [sections 1 through 26] constitute legislative consent for the capital projects contained in ~~[sections 1~~
26 ~~through 8]~~ [sections 1 through 26] within the meaning of 18-2-102.

27

28 **NEW SECTION. Section 11. Increase in state funding for program expansion or operations and**

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1 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and
2 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 68th
3 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

4
5 NEW SECTION. **Section 12. Transfer of funds.** By August 15, 2023, the department of
6 administration shall make the following transfers:

7 (1) \$41,420,091 from the capital developments long-range building program account established in
8 17-7-209 to the major repair long-range building program account established in 17-7-221.

9 ~~(2) \$2,000,000 from the capital developments long-range building program account established in~~
10 ~~17-7-209 to the capitol projects land grant fund provided for in 18-2-107.~~

11 ~~(2) \$113,000,000 from the general fund to the capital developments long range building program~~
12 ~~account established in 17-7-209.~~

13
14 **Section 13.** Section 17-7-201, MCA, is amended to read:

15 **"17-7-201. Definitions.** In this part, the following definitions apply:

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

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

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

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

21 (b) The term does not include a:

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

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

25 (2) "Capital development" means a:

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

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

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

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- 1 (i) an addition to an existing building; and
- 2 (ii) the enclosure of space that was not previously fully enclosed.
- 3 (b) The term does not include the replacement of state-owned space that is demolished or that is
- 4 otherwise removed from state use if the total construction cost of the replacement space is less than \$2.5
- 5 million.

6 (9) "Operations and maintenance" means operational costs and regular, ongoing, and routine

7 repairs and maintenance funded in an agency operating budget that does not extend the capacity, function, or

8 lifespan of a facility.

9 (10) "Replacement cost of existing long-range building program-eligible building" means the current

10 replacement value of all long-range building program-eligible buildings included in the statewide facility

11 inventory and condition assessment as provided in 17-7-202."

13 **NEW SECTION. Section 14. Project management and supervision.** Up to \$2,000,000 is

14 appropriated from the major repair long-range building program account to the architecture and engineering

15 division for the purposes of contracted services or modified positions, and associated operating expenses, to

16 expeditiously implement ~~[sections 1 through 9]~~ [sections 1 through 11]. The division is authorized to transfer the

17 appropriation among the necessary fund types for supervision and project management.

19 **NEW SECTION. Section 15. Appropriation for Gallatin college -- process.** (1) For the biennium

20 beginning July 1, 2023, there is appropriated to the department of administration \$23.5 million of capital

21 development funds and \$22.5 million of authority only for construction of a facility for Gallatin college contingent

22 on the following:

- 23 (a) The budget director shall adopt a plan for the development of Gallatin college through the
- 24 process set forth in subsection (2).
- 25 (b) Funds must be raised for the \$22.5 million of authority only capital project funding. The value of
- 26 any land donated for the capital project may not be considered as part of meeting the fundraising requirement.
- 27 (c) Plan development, delivery, and adoption must be coordinated through the department of
- 28 administration. All plan development efforts, content, and costs are the responsibility of the Montana university

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1 system.

2 (d) No capital development funding or authority for the capital project may be used for plan
3 development or for land acquisition.

4 (e) The department of administration may not proceed with capital project procurement, planning,
5 or design until the conditions in subsections (1)(a) and (1)(b) have been met.

6 (2) The process for the budget director to adopt a plan for Gallatin college is as follows:

7 (a) The Montana university system's plan must be presented through the department of
8 administration to the budget director by September 30, 2023.

9 (b) The budget director shall review the plan submitted in subsection (2)(a) and may:

10 (i) adopt the plan; or

11 (ii) not adopt the plan and provide the university system with information detailing the reason the
12 plan was not adopted.

13 (c) If the plan is not adopted pursuant to subsection (2)(b)(ii), the Montana university system has
14 60 days to respond to the budget director with amendments to the plan. The process in subsection (2)(b) will
15 then be repeated until plan adoption or the budget director directs the department of administration to terminate
16 the plan development effort.

17 (d) If the budget director directs the department of administration to terminate the plan
18 development effort, the appropriation for capital development funds in subsection (1) will revert to the capital
19 development fund and the appropriation for authority in subsection (1) will revert to its originating source.

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) For the biennium beginning July 1, 2023, \$1,540,000 of general funds are appropriated to the

1 Montana university system for the Gallatin college facility, provided the conditions of subsections (1) and (2) are
2 met.

3 (d) If the budget director directs the department of administration to terminate the plan
4 development effort under the provisions of subsection (2)(c), the appropriation of general fund for program
5 expansion or operations and maintenance is reverted to the general fund and will not be included in the
6 respective agency's base budget.

7
8 **NEW SECTION. Section 16. Definitions.** For the purposes of [sections 16 through 23], unless
9 otherwise provided, the following definitions apply:

10 (1) "Emergency shelter" means any facility, the primary purpose of which is to provide a temporary
11 shelter for the homeless in general or for specific populations of the homeless and which does not require
12 occupants to sign leases or occupancy agreements.

13 (2) "Nonprofit corporation" means a domestic corporation, as designated in accordance with 35-2-
14 126, that provides emergency shelter for the homeless.

15
16 **NEW SECTION. Section 17. Emergency shelter facility infrastructure account -- use.** (1) There is
17 within the state special revenue fund provided for in 17-2-102 an account called the emergency shelter facility
18 infrastructure account to provide grant funding to nonprofit corporations that provide emergency shelter for the
19 homeless and for administrative costs related to administering the grants. The department of commerce shall
20 administer the account.

21 (2) Up to 3% of the funds appropriated in [section 23] may be allocated for the department's
22 administrative costs.

23
24 **NEW SECTION. Section 18. Emergency shelter facility infrastructure grants authorization.** (1)
25 The department of commerce is authorized to make up to \$5 million in grants to nonprofit corporations for
26 emergency shelter, property acquisition, construction, shelter space acquisition, or general capital improvement
27 projects. The grants authorized in this section are subject to the conditions set forth in [section 20].

28 (2) The department of commerce must receive proposals from nonprofit corporations for

1 emergency shelter facility infrastructure projects.

2 (3) Funding for projects may be provided only as long as there are sufficient funds available from
3 the amount that was deposited or transferred into the emergency shelter facility infrastructure account for
4 grants established in [section 17(1)]. Funding for these projects must be made available in the order that the
5 grant recipients satisfy the conditions described in [section 20].

6

7 **NEW SECTION. Section 19. Eligibility -- submission deadline -- priority -- rulemaking authority.**

8 (1) A nonprofit corporation may apply to the department of commerce for emergency shelter facility
9 infrastructure grants under [section 18].

10 (2) Nonprofit corporations shall submit grant applications to the department in order to be eligible
11 for funding under [section 18].

12 (3) The department is authorized to adopt rules or guidelines necessary to implement [sections 16
13 through 23].

14

15 **NEW SECTION. Section 20. Condition of grants -- disbursement of funds.** (1) The disbursement
16 of grant funds for the projects chosen by the department of commerce pursuant to [section 18] is subject to
17 completion of the following conditions:

18 (a) For grants in an amount of \$25,000 or more, the grant recipient shall document the availability
19 of matching funds or in-kind contributions of assets with an appraised value from private sources representing
20 at least \$1 in value for each \$1 of the grant.

21 (b) The grant recipient shall execute a grant agreement with the department of commerce that
22 includes a project management plan and reporting requirements to track the outcomes of allocated grants.

23 (c) The grant recipient shall satisfy other specific requirements considered necessary by the
24 department of commerce to accomplish the purpose of the project as evidenced by the application to the
25 department.

26 (2) Projects must adhere to the design standards required by applicable regulatory agencies.
27 Recipients of program funds for projects that are not subject to any design standards must comply with
28 generally accepted industry standards.

1 (3) If actual project expenses are lower than the projected expense of the project, the department
2 shall reduce the amount of grant funds to be provided to grant recipients.

4 **NEW SECTION. Section 21. Maximum state funding available -- per project -- per county.** (1)

5 The maximum amount of state funding allocated to entities within any individual county under [sections 16
6 through 23] may not exceed \$750,000.

7 (2) If total applications within a specific jurisdiction exceed the maximum amount allowed, the
8 department shall include input from local elected officials in their ranking criteria for those applications.

10 **NEW SECTION. Section 22. Transfer of funds.** By July 1, 2023, the state treasurer shall transfer \$5
11 million from the general fund to the emergency shelter facility infrastructure account established in [section 17].

13 **NEW SECTION. Section 23. Appropriation.** There is appropriated \$5 million for the biennium
14 beginning July 1, 2023, from the emergency shelter facility infrastructure account established in [section 17] to
15 the department of commerce for grants as authorized in [sections 16 through 23].

17 **NEW SECTION. Section 24. Montana public safety development center state special revenue**
18 **account.** (1) There is a Montana public safety development center account in the state special revenue fund to
19 be administered by the department of military affairs.

20 (2) The purpose of the account is to provide funding for sustainment of the Montana public safety
21 development center.

22 (3) There must be deposited in the account:

23 (a) any revenue generated by use of the facility, including:

24 (i) classroom rental;

25 (ii) property rental;

26 (iii) site training packages; and

27 (iv) Montana public safety development center memberships;

28 (b) any legislative appropriations for operations and maintenance; and

1 (c) gifts, grants, or donations for the purpose of supporting the Montana public safety development
2 center.

3
4 **NEW SECTION. Section 25. Capital development project appropriations and authorization. (1)**

5 There is appropriated to the department of administration \$5 million of capital development funds and \$5 million
6 of federal special revenue for the biennium beginning July 1, 2023, for construction of a facility for the
7 department of military affairs Montana public safety development center, contingent on the following:

8 (a) The formation of a steering committee to decide the priorities of the Montana public safety
9 development center. The committee will be made up of a representative from each of the following:

- 10 (i) Montana fire chiefs association;
- 11 (ii) Montana sheriffs and peace officers association;
- 12 (iii) department of military affairs, division of disaster and emergency services, who serves as the
13 committee chair;

14 (iv) county attorney office; and

15 (v) Montana refinery representative.

16 (b) The budget director shall adopt a plan for the development and operations of the Montana
17 public safety development center.

18 (c) Plan development, delivery, and adoption must be coordinated through the department of
19 administration. All plan development efforts, content, and costs are the responsibility of the department of
20 military affairs and the steering committee created under subsection (1)(a).

21 (d) The plan must be submitted to the legislative fiscal analyst. The documents must be provided
22 in a digital format and must be distributed by the legislative fiscal analyst to legislative finance committee within
23 90 days of receipt of the plan documents. The department of military affairs shall make a presentation of the
24 final plan documents to the members of the legislative finance committee.

25 (2) (a) Pursuant to 17-7-210, if construction of a new facility requires an immediate or future
26 increase in state funding for program expansion or operations and maintenance, the legislature may not
27 authorize the new facility unless it also appropriates funds for the increase in state funding for program
28 expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year

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1 following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in
2 this subsection (2) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-304.

3 (b) It is the legislature's intent that the appropriations in this subsection (2) become part of the
4 department of military affairs' base budget for the biennium beginning July 1, 2025.

5 (c) There is appropriated \$360,000 from the general fund and \$400,000 from the state special
6 revenue account established in [section 24] for the biennium beginning July 1, 2025, to the department of
7 military affairs for program expansion or operations and maintenance for the Montana public safety
8 development center.

9
10 **NEW SECTION. Section 26. Appropriation.** For the fiscal year beginning July 1, 2024, there is
11 appropriated \$7,169,257 from general fund to the department of corrections to increase provider rates to allow
12 for the construction of a special services facility.

13
14 **Section 27.** Section 2, Chapter 461, Laws of 2021, is amended to read:

15 **Section 2. Major repair projects appropriations and authorizations.** The portion of section 2(1),
16 Chapter 461, Laws of 2021, appropriating money from the major repair account to the department of
17 administration for the indicated major repair project is amended to read:

18 "~~MSU BLGS Art Annex Safety and System Upgrades~~Demolition
19 1,200,000 500,000 1,200,000 500,000"

20
21 **NEW SECTION. Section 28. Severability.** If a part of [this act] is invalid, all valid parts that are
22 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
23 the part remains in effect in all valid applications that are severable from the invalid applications.

24
25 **Section 29.** Section 1, Chapter 468, Laws of 2021, is amended to read:

26 **Section 1. Authorizations of and appropriations for capital projects.** The portion of section
27 1(4)(c), Chapter 468, Laws of 2021, appropriating money from the general fund to the Montana university
28 system for program expansion or operations and maintenance for the indicated new facility is amended to read:

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- 1 "Montana University System
- 2 UM Forestry Conservation & Science Lab \$798,659 from the general fund
- 3 MAES Research and ~~Wood~~ Laboratories \$389,402 \$305,298 from the general fund"

4

5 COORDINATION SECTION. Section 30. Coordination instruction. If House Bill No. 839 is not
6 passed and approved, then [sections 24 and 25 of this act] are void.

7

8 NEW SECTION. Section 31. Effective date. [This act] is effective on passage and approval.

9

- END -

AMENDED