

1 HOUSE BILL NO. 5
2 INTRODUCED BY M. HOPKINS, J. FITZPATRICK
3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL
6 DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2025; PROVIDING FOR OTHER
7 MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE
8 CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT TO THE MAJOR REPAIR
9 LONG-RANGE BUILDING PROGRAM ACCOUNT AND FOR A TRANSFER OF FUNDS FROM THE STATE
10 GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT;
11 PROVIDING FUNDING FOR RATE INCREASES TO ALLOW CONSTRUCTION; AMENDING THE
12 DEFINITION OF AN LRBP-ELIGIBLE BUILDING; PROVIDING FOR AN EMERGENCY SHELTER FACILITY
13 INFRASTRUCTURE GRANT PROGRAM AND CRITERIA; PROVIDING RULEMAKING AUTHORITY;
14 AMENDING SECTIONS 17-7-201, AND 75-11-313, MCA; AMENDING SECTION 1(4), CHAPTER
15 468, LAWS OF 2021, AND SECTION 2(1), CHAPTER 461, LAWS OF 2021; AND PROVIDING AN
16 IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

17
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19
20 NEW SECTION. Section 1. Definitions. As used in [sections 1 through 4011], unless the context
21 clearly indicates otherwise, the following definitions apply:

22 (1) "Authority only" means approval provided by the legislature to expend money that does not
23 require an appropriation, including grants, donations, auxiliary funds, proprietary funds, nonstate funds, and
24 university funds.

25 (2) "Capital development" means capital projects provided for in 17-7-201(2).

26 (3) "Capital project" means the planning, design, renovation, construction, alteration, replacement,
27 furnishing, repair, improvement, site, utility, or land acquisition project provided for in [sections 1 through 10]

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Drafter: Katy Callon, 406-444-4421

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1 REPRESENTATIVES; AND

2 (II) THREE MEMBERS OF THE SENATE APPOINTED BY THE PRESIDENT OF THE SENATE.

3 (C) COMMITTEE MEMBERS ARE ENTITLED TO RECEIVE COMPENSATION AND EXPENSES AS PROVIDED IN 5-2-
4 302.

5 (D) THE LEGISLATIVE SERVICES DIVISION AND THE LEGISLATIVE FISCAL DIVISION SHALL PROVIDE STAFF
6 ASSISTANCE TO THE COMMITTEE.

7 (E) THE COMMITTEE SHALL FOCUS ON ESTABLISHING AN OVERALL FRAMEWORK FOR LONG-TERM FACILITY
8 NEEDS AND IMMEDIATE IMPROVEMENTS FOR DEPARTMENT OF CORRECTIONS FACILITIES.

9 (F) THE COMMITTEE SHALL PREPARE A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS, AND
10 DRAFT LEGISLATION IF APPROPRIATE. THE COMMITTEE SHALL SUBMIT THE FINAL REPORT TO THE LEGISLATIVE FINANCE
11 COMMITTEE AND THE LAW AND JUSTICE INTERIM COMMITTEE FOR APPROVAL PRIOR TO SUBMISSION TO THE GOVERNOR
12 AND THE 69TH LEGISLATURE.

13
14 NEW SECTION. Section 3. Capital development projects appropriations and authorizations. (1)

15 The following money is appropriated to the department of administration for the indicated capital development
16 projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of
17 authorization. The department of administration is authorized to transfer the appropriations, authority, or both
18 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

24 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

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

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1	Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)		
2		2,200,000	2,200,000
3	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
4	DPHHS DOA Supplemental State Health Lab Renovation		
5		7,000,000	7,000,000
6	Funding may be utilized by the department for project completion in the event federal grant funding		
7	expenditure deadlines are not extended for the project in section 3, Chapter 461, Laws of 2021.		
8	Revenue Supplemental Liquor Warehouse Expansion		
9		<u>14,315,750</u>	<u>14,315,750</u>
10		<u>15,515,750</u>	<u>15,515,750</u>
11	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
12	DPHHS Supplemental SWMVH Cottage Connectors		
13		5,250,000	5,250,000
14	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
15	MUS MT Tech Supplemental Heating Systems Upgrade		
16		2,750,000	2,750,000
17	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
18	MUS UMW Supplemental Block Hall Renovation		
19		3,600,000	3,600,000
20	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
21	MDT Supplemental West Yellowstone Airport Terminal		
22		9,000,000	9,000,000
23	Funding may be utilized on a prorated basis by the department for project completion in the event		
24	additional federal grant funding is not received for inflationary and scope adjustments for the project in section		
25	2, Chapter 422, Laws of 2019, and section 3, Chapter 461, Laws of 2021, up to an aggregate of \$41,500,000		
26	from all sources. This aggregate amount does not limit or restrict 17-7-211.		
27	DMA Supplemental Silver Bow Readiness Center		

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1	5,491,795	8,221,254	13,713,049
2	Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and		
3	section 3, Chapter 461, Laws of 2021.		
4	MUS MAES Supplemental MAES Research Labs		
5	1,604,050		1,604,050
6	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
7	DOA Supplemental Mazurek Building Renovation		
8	5,000,000		5,000,000
9	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
10	DNRC Supplemental ELO Facilities & Shop		
11	2,180,235	2,180,235	2,180,235
12	<u>3,003,553</u>		<u>3,003,553</u>
13	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
14	MUS MSU Supplemental Haynes Hall Ventilation Upgrades		
15	3,400,000		3,400,000
16	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
17	2021.		
18	MDT Supplemental Lincoln Airport SRE Building		
19		250,000	250,000
20	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
21	FWP Supplemental Havre Area Office		
22	2,199,600	620,400	2,820,000
23	Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of		
24	2021.		
25	<u>DOJ MLEA SUPPLEMENTAL SCENARIO BUILDING</u>		
26	<u>2,600,000</u>		<u>2,600,000</u>
27	<u>INFLATIONARY ADJUSTMENT FUNDING IS PROVIDED FOR THE PROJECT IN SECTION 3, CHAPTER 461, LAWS OF</u>		

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1	<u>2021.</u>			
2	FWP Supplemental Glasgow Headquarters			
3		3,100,000		3,100,000
4	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of			
5	2019.			
6	FWP Supplemental Lewistown Area Office			
7		4,000,000		4,000,000
8	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of			
9	2019.			
10	FWP Supplemental MT Wild Avian Rehab Building			
11		550,000		550,000
12	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of			
13	2021.			
14	DMA Supplemental Billings AFRC Unheated Storage			
15		46,208	46,208	92,416
16	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
17	DMA Supplemental Havre Unheated Building			
18		63,318	63,318	126,636
19	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
20	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance			
21		15,903,000		15,903,000
22	<u>UP TO \$10,000,000 OF FUNDING FOR THE PROJECT MUST BE USED FOR REBUILDING A WATER LINE</u>			
23	<u>CONSTRUCTED BY THE STATE SERVING THE MONTANA STATE HOSPITAL. THE DEPARTMENT IS AUTHORIZED TO</u>			
24	<u>CONTRACT WITH ANACONDA-DEER LODGE COUNTY FOR THIS PORTION OF THE PROJECT AT THE DEPARTMENT'S</u>			
25	<u>DISCRETION.</u>			
26	DOC MSP Replace Low-Side Housing			
27		135,000,000		135,000,000

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1	<u>156,000,000</u>	<u>156,000,000</u>
2	<u>DOC MSP Unit D Renovation</u>	
3	<u>18,840,831</u>	<u>18,840,831</u>
4	DPHHS Statewide Behavioral Health Initiative	
5	113,000,000	113,000,000
6	<u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>	
7	<u>7,000,000</u>	<u>7,000,000</u>
8	DOA Renovation of Capitol Complex Offices, Implement ROWS	
9	50,000,000	50,000,000
10	DOA State Capitol Building Improvements	
11	26,316,458	26,316,458
12	<u>28,695,418</u>	<u>28,695,418</u>
13	DNRC Seedling Nursery Improvements	
14	2,797,320	2,797,320
15	DOC MSP Water Line Replacement	
16	3,000,000	3,000,000
17	DOC MSP Entry/Staff Services Addition to Wallace Building	
18	12,800,000	12,800,000
19	DOC MSP Replace Roofs	
20	5,600,000	5,600,000
21	DOC MSP Xanthopoulos Building Repairs	
22	2,950,000	2,950,000
23	DOC MSP New Multi-Purpose Programs Building	
24	9,000,000	9,000,000
25	DLI Job Service Great Falls Building Renovation	
26	5,767,880	5,767,880
27	MUS UM FLBS Water and Sewer Systems	

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1	2,500,000		2,500,000
2	DOC MWP Roof Replacement		
3	5,000,000		5,000,000
4	DMA Billings Readiness and Innovation Campus		
5	<u>12,840,000</u>		<u>12,840,000</u>
6	<u>26,840,000</u>	<u>52,000,000</u>	<u>78,840,000</u>
7	DNRC Clearwater Replacement Bunkhouse		
8	1,189,178		1,189,178
9	DNRC Anaconda Bunkhouse		
10	1,180,962		1,180,962
11	DNRC NELO Fire Ready Room		
12	445,491		445,491
13	DNRC CLO Dispatch Center Expansion		
14	545,000		545,000
15	DPHHS MMHNCC Heated Storage Unit		
16	<u>720,000</u>		<u>720,000</u>
17	<u>360,000</u>		<u>360,000</u>
18	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>		
19	<u>1,000,000</u>	<u>6,000,000</u>	<u>7,000,000</u>
20	<u>FEDERAL FUNDS MUST BE OBLIGATED PRIOR TO PROJECT INITIATION.</u>		
21	DOA Old Board of Health Renovation (Legislative Staff Space)		
22	3,500,000		3,500,000
23	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements		
24	3,000,000		3,000,000
25	DMA Helena Readiness HVAC & Temp Control Upgrade		
26	798,420	2,542,248	3,340,668
27	MUS HC Acquire and Renovate Airport Hangar		

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1	3,600,000		3,600,000
2	DMA DES State Emergency Coordination Center Expansion		
3	6,581,000		6,581,000
4	MUS UM Clapp Building Renovation		
5	27,000,000	10,000,000	37,000,000
6	MUS MSU Lewis Hall Code & Instructional Renovations		
7	23,500,000	8,000,000	31,500,000
8	DOA 5 Last Chance Gulch Atrium Renovation		
9	15,558,029		15,558,029
10	MUS MT Tech Engineering Hall Renovation		
11	8,000,000		8,000,000
12	MUS MT Tech Main Hall Renovation		
13	30,000,000		30,000,000
14	MUS MAES BART Life-Safety & Programmatic Improvements		
15	10,000,000		10,000,000
16	DMA DES State Disaster Warehouse		
17	5,704,000		5,704,000
18	MUS UMW Campus Storage/Warehouse Building		
19	1,250,000		1,250,000
20	<u>MUS MSU-N HEALTH AND RECREATION COMPLEX</u>		
21	<u>25,000,000</u>		<u>25,000,000</u>
22	FWP Makoshika Campground Improvement & Addition		
23		2,500,000 2,500,000	5,000,000
24	FWP Beartooth WMA Facilities Upgrade		
25	8,000,000		8,000,000
26	FWP Agency Staff Housing		
27	7,500,000		7,500,000

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

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1	MUS UM Campuswide Classroom Upgrades		
2		6,000,000	6,000,000
3	MUS UM Liberal Arts Building / Eck Hall		
4		4,000,000	4,000,000
5	MUS MSU Indoor Practice Facility		
6		15,000,000	15,000,000
7	MUS MT Tech Highlands College Indoor Pole Barn		
8		2,000,000	2,000,000
9	DOA Statewide Federal Spending Authority		
10		5,000,000	5,000,000
11	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
12		590,000	590,000
13	<u>MUS UM MCGILL HALL EXPANSION</u>		
14		<u>3,000,000</u>	<u>3,000,000</u>

15 (2) (A) FOR THE BIENNIUM BEGINNING JULY 1, 2023, THERE IS APPROPRIATED TO THE DEPARTMENT OF
16 ADMINISTRATION \$4 MILLION OF STATE SPECIAL REVENUE FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
17 BEARTOOTH WMA FACILITIES UPGRADE CAPITAL DEVELOPMENT PROJECT.

18 (B) FOR THE BIENNIUM BEGINNING JULY 1, 2023, AN ADDITIONAL \$4 MILLION OF STATE SPECIAL REVENUE
19 IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
20 BEARTOOTH WMA FACILITIES UPGRADE CAPITAL DEVELOPMENT PROJECT CONTINGENT ON THE DEPARTMENT OF
21 ADMINISTRATION PROVIDING WRITTEN CONFIRMATION TO THE GOVERNOR THAT THE PROJECT IS UNDER CONTRACT.

22 (C) THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS SHALL PROVIDE A QUARTERLY REPORT ON THE
23 STATUS OF THE PROJECT AND ITS ASSOCIATED EXPENDITURES IN DIGITAL FORMAT TO THE LEGISLATIVE FISCAL ANALYST.
24 THE REPORT MUST BE DISTRIBUTED BY THE LEGISLATIVE FISCAL ANALYST TO MEMBERS OF THE LEGISLATIVE FINANCE
25 COMMITTEE AND THE LONG-RANGE PLANNING BUDGET COMMITTEE PROVIDED FOR IN 5-12-501.

26 (3) (A) EXCEPT AS PROVIDED IN SUBSECTION (3)(B), FUNDS APPROPRIATED FOR THE DOC FLATHEAD
27 COUNTY PRERELEASE CENTER MAY NOT BE EXPENDED UNTIL THE DEPARTMENT HAS RECEIVED ALL NECESSARY

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1 AUTHORIZATIONS FOR THE PROPOSED PRERELEASE CENTER.

2 (B) TO SECURE ACQUISITION OF THE FACILITY, THE DEPARTMENT OF CORRECTIONS MAY ENTER INTO A
3 PURCHASE OPTION AGREEMENT WITH THE OWNER NOT TO EXCEED 18 MONTHS IN LENGTH. THE OPTION FEE MUST BE
4 FULLY CREDITED TO THE PURCHASE PRICE IF THE DEPARTMENT OF CORRECTIONS PURCHASES THE FACILITY. THE
5 OPTION FEE MAY NOT EXCEED 1% OF THE PURCHASE PRICE.

6 ~~(2)~~(4) 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)~~(5) (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)~~(5) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-
26 304.

27 (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	
18 Department of Corrections					
19 BSB Re-Entry Services, Acadia Facility					
	20 563,536				21 563,536
22 Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter					
23 401, Laws of 2021.					
24 DOC MSP Replace Low-Side Housing					
	25 176,560				26 176,560
27 DOC MSP Entry/Staff Services Addition to Wallace Building					
	28 184,000				29 184,000
30 DOC MSP New Multi-Purpose Programs Building					
	31 100,340				32 103,340
	33 <u>103,040</u>				34 <u>103,040</u>
35 <u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>					
	36 <u>3,388,560</u>				37 <u>3,388,560</u>

38 THE APPROPRIATION FOR THE DOC FLATHEAD COUNTY PRERELEASE CENTER IS FOR THE FISCAL YEAR
 39 BEGINNING JULY 1, 2024.

40 DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths					
				41 40,000	42 40,000
43 Department of Fish, Wildlife, and Parks					
44 FWP Beartooth WMA Facilities Upgrade					

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

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1	2,503,280	2,503,280
2	DPHHS MMHNCC Heated Storage Unit	
3	21,312	21,312
4	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>	
5	<u>1,200,000</u>	<u>1,200,000</u>
6	DMA DES State Disaster Warehouse	
7	62,000	62,000
8	Montana Department of Transportation	
9	MDT Combination Facility Great Falls	
10	53,900	53,900
11	MDT Combination Facility Kalispell	
12	42,400	42,400
13	MDT Combination Facility Missoula	
14	41,800	41,800
15	Montana University System	
16	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)	
17	520,695	520,695
18	MUS HC Acquire and Renovate Airport Hangar	
19	188,133	188,133
20	MUS UMW Campus Storage/Warehouse Building	
21	63,975	63,975
22	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)	
23	4,000,154	4,000,154
24	MUS MSU Gianforte Hall, School of Computing	
25	1,730,858	1,730,858
26	MUS MSU Indoor Practice Facility	
27		athletics/auxiliaries funds only