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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.

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

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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		

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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.		

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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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Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1	MR	Special	Special	Only	
2	Fund	Revenue	Revenue	Sources	
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

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

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

27	Agency/Project	LRBP	State	Federal	Authority	Total
28		CD	Special	Special	Only	

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1	Fund	Revenue	Revenue	Sources
2	Agriculture Supplemental Ag Analytical Lab (combined with Vet Diagnostic Lab and MSU Wool Lab)			
3	3,858,000			3,858,000
4	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
5	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)			
6	4,700,000			4,700,000
7	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
8	Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)			
9	2,200,000			2,200,000
10	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
11	DPHHS DOA Supplemental State Health Lab Renovation			
12		7,000,000		7,000,000
13	Funding may be utilized by the department for project completion in the event federal grant funding			
14	expenditure deadlines are not extended for the project in section 3, Chapter 461, Laws of 2021.			
15	Revenue Supplemental Liquor Warehouse Expansion			
16		14,315,750		14,315,750
17	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
18	DPHHS Supplemental SWMVH Cottage Connectors			
19	5,250,000			5,250,000
20	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
21	MUS MT Tech Supplemental Heating Systems Upgrade			
22	2,750,000			2,750,000
23	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.			
24	MUS UMW Supplemental Block Hall Renovation			
25	3,600,000			3,600,000
26	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.			
27	MDT Supplemental West Yellowstone Airport Terminal			
28	9,000,000			9,000,000

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1 Funding may be utilized on a prorated basis by the department for project completion in the event
2 additional federal grant funding is not received for inflationary and scope adjustments for the project in section
3 2, Chapter 422, Laws of 2019, and section 3, Chapter 461, Laws of 2021, up to an aggregate of \$41,500,000
4 from all sources. This aggregate amount does not limit or restrict 17-7-211.

5 DMA Supplemental Silver Bow Readiness Center

6	5,491,795	8,221,254	13,713,049
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7 Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and
8 section 3, Chapter 461, Laws of 2021.

9 MUS MAES Supplemental MAES Research Labs

10	1,604,050		1,604,050
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11 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

12 DOA Supplemental Mazurek Building Renovation

13	5,000,000		5,000,000
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14 Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.

15 DNRC Supplemental ELO Facilities & Shop

16	2,180,235		2,180,235
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17 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

18 MUS MSU Supplemental Haynes Hall Ventilation Upgrades

19	3,400,000		3,400,000
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20 Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of
21 2021.

22 MDT Supplemental Lincoln Airport SRE Building

23		250,000	250,000
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24 Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.

25 FWP Supplemental Havre Area Office

26	2,199,600	620,400	2,820,000
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27 Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of
28 2021.

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1	FWP Supplemental Glasgow Headquarters		
2		3,100,000	3,100,000
3	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
4	2019.		
5	FWP Supplemental Lewistown Area Office		
6		4,000,000	4,000,000
7	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
8	2019.		
9	FWP Supplemental MT Wild Avian Rehab Building		
10		550,000	550,000
11	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
12	2021.		
13	DMA Supplemental Billings AFRC Unheated Storage		
14		46,208	92,416
15	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.	46,208	
16	DMA Supplemental Havre Unheated Building		
17		63,318	126,636
18	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
19	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance		
20		15,903,000	15,903,000
21	DOC MSP Replace Low-Side Housing		
22		135,000,000	135,000,000
23	DPHHS Statewide Behavioral Health Initiative		
24		113,000,000	113,000,000
25	DOA Renovation of Capitol Complex Offices, Implement ROWS		
26		50,000,000	50,000,000
27	DOA State Capitol Building Improvements		
28		26,316,458	26,316,458

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1	DNRC Seedling Nursery Improvements	
2	2,797,320	2,797,320
3	DOC MSP Water Line Replacement	
4	3,000,000	3,000,000
5	DOC MSP Entry/Staff Services Addition to Wallace Building	
6	12,800,000	12,800,000
7	DOC MSP Replace Roofs	
8	5,600,000	5,600,000
9	DOC MSP Xanthopoulos Building Repairs	
10	2,950,000	2,950,000
11	DOC MSP New Multi-Purpose Programs Building	
12	9,000,000	9,000,000
13	DLI Job Service Great Falls Building Renovation	
14	5,767,880	5,767,880
15	MUS UM FLBS Water and Sewer Systems	
16	2,500,000	2,500,000
17	DOC MWP Roof Replacement	
18	5,000,000	5,000,000
19	DMA Billings Readiness and Innovation Campus	
20	12,840,000	12,840,000
21	DNRC Clearwater Replacement Bunkhouse	
22	1,189,178	1,189,178
23	DNRC Anaconda Bunkhouse	
24	1,180,962	1,180,962
25	DNRC NELO Fire Ready Room	
26	445,491	445,491
27	DNRC CLO Dispatch Center Expansion	
28	545,000	545,000

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1	DPHHS MMHNCC Heated Storage Unit		
2		720,000	720,000
3	DOA Old Board of Health Renovation (Legislative Staff Space)		
4		3,500,000	3,500,000
5	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements		
6		3,000,000	3,000,000
7	DMA Helena Readiness HVAC & Temp Control Upgrade		
8		798,420	2,542,248
9	MUS HC Acquire and Renovate Airport Hangar		
10		3,600,000	3,600,000
11	DMA DES State Emergency Coordination Center Expansion		
12		6,581,000	6,581,000
13	MUS UM Clapp Building Renovation		
14		27,000,000	10,000,000
15	MUS MSU Lewis Hall Code & Instructional Renovations		
16		23,500,000	8,000,000
17	DOA 5 Last Chance Gulch Atrium Renovation		
18		15,558,029	15,558,029
19	MUS MT Tech Engineering Hall Renovation		
20		8,000,000	8,000,000
21	MUS MT Tech Main Hall Renovation		
22		30,000,000	30,000,000
23	MUS MAES BART Life-Safety & Programmatic Improvements		
24		10,000,000	10,000,000
25	DMA DES State Disaster Warehouse		
26		5,704,000	5,704,000
27	MUS UMW Campus Storage/Warehouse Building		
28		1,250,000	1,250,000

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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

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

20	Agency/Project	State	Federal	Authority	Total
21		Special	Special	Only	
22		Revenue	Revenue	Sources	
23	DMA FTH Aviation Facility HVAC & Temperature Control Upgrade				
24			3,580,365		3,580,365
25	DMA FTH Collective Training Housing Facility				
26			3,000,000		3,000,000
27	DMA FTH Ready Building Addition				
28			4,700,000		4,700,000

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1	DMA FTH Training Site HVAC and Controls Upgrade		
2		2,574,002	2,574,002

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

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

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

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

17 Department of Corrections					
18 BSB Re-Entry Services, Acadia Facility					
19	563,536				563,536

20 Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter
21 401, Laws of 2021.

22 DOC MSP Replace Low-Side Housing					
23	176,560				176,560

24 DOC MSP Entry/Staff Services Addition to Wallace Building					
25	184,000				184,000

26 DOC MSP New Multi-Purpose Programs Building					
27	100,340				103,340

28 DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1		40,000	40,000
2	Department of Fish, Wildlife, and Parks		
3	FWP Beartooth WMA Facilities Upgrade		
4		80,000	80,000
5	FWP Agency Staff Housing		
6		225,000	225,000
7	FWP Central Services Site Upgrades		
8		128,762	128,762
9	Department of Military Affairs		
10	DMA Billings LAASF		
11		200,000	200,000
12	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
13	Laws of 2021.		
14	DMA DES State Emergency Coordination Center Expansion		
15		54,012	54,012
16	DMA FTH Collective Training Housing Facility		
17		34,000	34,000
18	DMA FTH Ready Building Addition		
19		26,472	26,472
20	Department of Natural Resources and Conservation		
21	DNRC Clearwater Replacement Bunkhouse		
22		27,650	27,650
23	DNRC Anaconda Bunkhouse		
24		33,180	33,180
25	DNRC NELO Fire Ready Room		
26		17,696	17,696
27	DNRC CLO Dispatch Center Expansion		
28		10,700	10,700

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1	Department of Public Health and Human Services		
2	DPHHS Statewide Behavioral Health Initiative		
3		2,503,280	2,503,280
4	DPHHS MMHNCC Heated Storage Unit		
5		21,312	21,312
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
28	MUS MT Tech Highlands College Indoor Pole Barn		

1 42,671 42,671

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

5
6 **NEW SECTION. Section 4. Capital improvements projects.** (1) The following money is
7 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making
8 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the
9 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,
10 authority, or both among the necessary fund types for these projects:

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Source	
FWP Statewide Admin Facilities Major Maintenance	1,931,500		5,000,000	6,931,500
FWP Signage & Wayfinding Updates	2,500,000			2,500,000
FWP Erosion Control	2,673,000			2,673,000
FWP Community Ponds	200,000			200,000
FWP Forest Management	100,000	300,000		400,000
FWP Site Maintenance Upgrades & Improvements	4,572,450	1,770,750	1,193,000	7,536,200
FWP Shooting Range Development	1,000,000	3,000,000		4,000,000
FWP Wildlife Habitat Improvement Program Renewal				

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

1		2,000,000		2,000,000
2	FWP Wildlife Habitat Management & Maintenance			
3		1,140,000	2,765,000	3,905,000
4	FWP Upland Game Bird Enhancement Program			
5		1,908,000	600,000	2,508,000
6	FWP Migratory Bird Wetland Program			
7		500,000		500,000
8	FWP Future Fisheries			
9		2,000,000		2,000,000
10	FWP Hatcheries Maintenance			
11		2,000,000		2,000,000
12	FWP POR Grant Programs			
13		5,000,000	6,000,000	11,000,000
14	FWP Fish Connectivity			
15		548,454	1,278,992	1,967,680
16	FWP PALA Access Program			
17		1,000,000		1,000,000

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

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

(3) The following money is appropriated to the department of military affairs in the indicated amount for the purpose of making capital improvements to statewide facilities. All costs for the operation and

1 maintenance of any improvements constructed with these funds must be paid by the department of military
2 affairs from nonstate sources:

3	Agency/Project	State	Federal	Authority	Total
4		Special	Special	Only	
5		Revenue	Revenue	Sources	
6	DMA Federal Spending Authority		3,000,000		3,000,000

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

9	Agency/Project	State	Federal	Authority	Total
10		Special	Special	Only	
11		Revenue	Revenue	Sources	
12	MDT Maintenance, Repair, and Small Projects				
13		3,000,000			3,000,000

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

17	Agency/Project	State	Federal	Authority	Total
18		Special	Special	Only	
19		Revenue	Revenue	Sources	
20	DEQ Energy Improvements, Statewide			3,700,000	3,700,000

21
22 **NEW SECTION. Section 5. Land acquisition appropriations.** The following money is appropriated
23 to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land
24 leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is
25 authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

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

1 FWP Habitat Montana 9,650,000 2,350,000 12,000,000

2

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

7

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

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

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

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

18

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

28

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

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

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

12 (1) \$41,420,091 from the capital developments long-range building program account established in
13 17-7-209 to the major repair long-range building program account established in 17-7-221.

14 (2) \$113,000,000 from the general fund to the capital developments long-range building program
15 account established in 17-7-209.
16

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

18 **"17-7-201. Definitions.** In this part, the following definitions apply:

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

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

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

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

24 (b) The term does not include a:

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

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

28 (2) "Capital development" means a:

Amendment - 1st Reading-white

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.024

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

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

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

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

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

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

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

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

15
16 **NEW SECTION. Section 13. Project management and supervision.** Up to \$2,000,000 is
17 appropriated from the major repair long-range building program account to the architecture and engineering
18 division for the purposes of contracted services or modified positions, and associated operating expenses, to
19 expeditiously implement [sections 1 through 9]. The division is authorized to transfer the appropriation among
20 the necessary fund types for supervision and project management.

21
22 **NEW SECTION. Section 14. Appropriation for Gallatin College -- Process.**

23 (1) For the biennium beginning July 1, 2023, there is appropriated to the department of administration
24 \$23.5 million of capital development funds and \$22.5 million of authority for construction of a facility for Gallatin
25 College contingent on:

26 (a) The budget director adopting a plan for the development of Gallatin College through the
27 process set forth in subsection (2), and

28 (b) If funds are raised for the \$22.5 million of authority only capital project funding. The value of

1 any land donated for the capital project may not be considered as part of meeting the fund-raising requirement.

2 (c) Plan development, delivery, and adoption shall be coordinated through the department of
3 administration; all plan development efforts, content, and costs shall be the responsibility of the Montana
4 university system.

5 (d) No capital development funding or authority for the capital project shall be used for plan
6 development or for land acquisition.

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

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

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

12 (b) The budget director will review the plan submitted in (2)(a) and may:

13 (i) Adopt the plan, or

14 (ii) Not adopt the plan and provide the university system with information detailing the
15 reason the plan was not adopted.

16 (c) If (b)(ii) occurs, the Montana university system has 60 days to respond to the budget director
17 with amendments to the plan. The process in (2)(b) will then be repeated until plan adoption or the budget
18 director directs the department of administration to terminate the plan development effort.

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

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

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

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

2 (c) For the biennium beginning July 1, 2023, \$1,540,000 of general funds are appropriated to the
3 Montana university system for the Gallatin College facility, provided the conditions of subsections (1) and (2)
4 are met.

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

9

10 NEW SECTION. ~~Section 15, Section 14.~~ Severability. If a part of [this act] is invalid, all valid parts
11 that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
12 applications, the part remains in effect in all valid applications that are severable from the invalid applications.

13

14 Section 16, Section 15. Section 1, Chapter 468, Laws of 2021, is amended to read:

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

18 "Montana University System

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

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

21

22 NEW SECTION. ~~Section 17, Section 16.~~ Effective date. [This act] is effective on passage and
23 approval.

24

- END -