

HOUSE BILL NO. 5

INTRODUCED BY 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, 2027; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT AND A TRANSFER OF FUNDS FROM THE GENERAL FUND TO A STATE SPECIAL REVENUE FUND; PROVIDING FOR A MODIFICATION TO THE LONG-RANGE BUILDING PROGRAM; INCREASING CERTAIN VALUE THRESHOLDS FROM \$150,000 TO \$300,000; ESTABLISHING REPORTING REQUIREMENTS; AMENDING SECTIONS 17-7-201, 17-7-202, 17-7-210, AND 17-7-223, MCA; AMENDING SECTION 14(1), CHAPTER 762, LAWS OF 2023, AND SECTION 3, CHAPTER 763, LAWS OF 2023; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 10], unless otherwise stated, 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" has the same meaning as provided 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" means the long-range building program major repair account in the capital

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1 projects fund type provided for in 17-7-221.

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

3 (7) "Other funding sources" means money other than LRBP money, state special revenue, or
4 federal special revenue that accrues to an agency under the provisions of law.

5 (8) "SBECF" means funds from the state building energy conservation program account in the
6 capital projects fund type which may be utilized on either or both major repair or capital development 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 to transfer the appropriations, authority, or both among the
14 necessary fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	MR	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
MUS	MSU Completion of Montana Hall Life Safety Improvements				
	2,100,000				2,100,000
DPHHS	MMHNCC Completion of Door Access Controls				
	130,000				130,000
MUS	UM Missoula College Mechanical, Electrical, and Accessibility Upgrades				
	2,200,000				2,200,000
MUS	UM Montana Tech Selected Upgrades Exterior Steps, Stairs, Ramps				
	710,000				710,000
DPHHS	MMHNCC Additional Security Cameras				
	300,000				300,000
MUS	UM-W Selected Fire Alarm Upgrades				

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1		500,000	500,000
2	DOC	MSP MCE New Emergency Generators	
3		200,000	200,000
4	DOA	Aviation Support Facility Shop Building New Fire Suppression System	
5		950,000	950,000
6	MUS	UM Montana Tech Campus Heating Plant Boiler System Upgrade	
7		2,400,000	2,400,000
8	DOAg	State Grain Lab Heating System Upgrades	
9		150,000	150,000
10	MUS	MSU GFC Campus Heating and Domestic Hot Water Upgrades	
11		400,000	400,000
12	DOJ	MHP Boulder MHP/IBC Campus Heating System Upgrades	
13		2,350,000	2,350,000
14	MUS	UM Helena College Donaldson/Airport Boiler System Replacement	
15		150,000	150,000
16	DOA	Original Governor's Mansion Heating and Fire Alarm Systems	
17		300,000	300,000
18	MUS	UM-W Swysgood Tech Center HVAC Cooling System Replacement	
19		370,000	370,000
20	DOC	Continuation of Xanthopoulos Building Repairs	
21		2,200,000	2,200,000
22	MUS	MSU Linfield Hall Roof Replacement	
23		850,000	850,000
24	DOA	State Print and Mail Building Roof Replacement	
25		825,000	825,000
26	MUS	MSU-N Cowan Hall Exterior Envelope Upgrades	
27		1,725,000	1,725,000
28		DPHHS EMVH Water Infiltration and Exterior Envelope Repairs	

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1		1,900,000	1,900,000
2	MUS	MSU-N Automotive Technology Building Roof Replacement	
3		460,000	460,000
4	MUS	UM HC Donaldson Campus Roofing Replacement	
5		2,400,000	2,400,000
6	DOC	MSP MCE Roof Replacements	
7		1,350,000	1,350,000
8	DOA	Aviation Support Fac Hangar Door Reconstruction and Replacement	
9		320,000	320,000
10	MUS	UM Montana Tech Campus-wide Building Electrical System Upgrades	
11		1,300,000	1,300,000
12	MSDB	Completion of Parking Lot Improvements	
13		780,000	780,000
14	MUS	UM-W Selected Sewer Main Repairs and Replacement	
15		690,000	690,000
16	DOC	MWP Completion of Perimeter Security Upgrades	
17		600,000	600,000
18	OPI	Montana Learning Center Site Infrastructure Upgrades	
19		700,000	700,000
20	MUS	UM-W Steam Distribution System Upgrades	
21		475,000	475,000
22	DOC	PHYCF Utility Tunnel and Heating System Repairs	
23		1,200,000	1,200,000
24	MUS	UM Selected Building Electrical System Upgrades	
25		1,100,000	1,100,000
26	MUS	MSU South Campus Primary Electrical Distribution Upgrades	
27		1,750,000	1,750,000
28	DOC	MSP Gravel Pit Equipment Generator Replacement	

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1		180,000		180,000
2	DLI	Kalispell Job Service Renovations		
3		325,000		325,000
4	MUS	UM Selected Elevator System Upgrades		
5		1,675,000		1,675,000
6	MUS	MT Tech Science and Engineering, and ELC Building Elevator Upgrades		
7		400,000		400,000
8	DOL	New Laboratory Casework and Fixed Equipment, Combined Labs Building		
9		1,000,000		1,000,000
10	MSDB	Selected HVAC Systems Upgrades		
11		2,000,000		2,000,000
12	MUS	MSU McCall Hall Demolition		
13		1,100,000	300,000	1,400,000
14	DOA	Capitol Building Interior Lighting Restoration		
15		125,000		125,000
16	DOA	Capitol Complex Restroom Renovations		
17		625,000		625,000
18	DOC	MSP MCE Restroom Repairs		
19		200,000		200,000
20	DOJ	MLEA Air Conditioning Installation		
21		300,000		300,000
22	MUS	MT Tech Mining and Geology Building Temp Controls System		
23		300,000		300,000
24	DOA	Statewide Facility Condition Assessment Services for Agencies		
25		750,000		750,000
26	DOA	Statewide Selected Feasibility Studies for Agencies		
27		500,000		500,000
28	<u>MUS</u>	<u>MSU Replace Failed Data Center Cooling Systems</u>		

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(2) Up to \$2.8 million state special revenue from the capital land grant fund is appropriated to the department of administration for the 2027 biennium for use solely on major repair capital projects on the Capitol complex. Major repair capital projects shall be approved by of the office of budget and program planning prior to use of the funds by the department.

9	Agency/Project	LRBP	State	Federal	Authority	Total
10		MR	Special	Special	Only	
11		Fund	Revenue	Revenue	Sources	

26	DMA	MTARNG Buildings New PV Solar Arrays and Repairs		
27			690,000	690,000



**Legislative
Services
Division**

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1 1,900,000 1,900,000

2 (4) The department of administration shall bundle requests for the purchase and installation of the
3 electrical generators into a single project for bid.

4 5 NEW SECTION. **Section 3. Capital development projects appropriations and authorizations.** (1)

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

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
DOC	MSP Low-Side Housing Expansion				
	150,000,000				150,000,000

15 Funding is provided to expand the capital project in Section 2, Chapter 765, Laws of 2023. The
16 department may extend existing design, construction, and other contracts at its sole discretion, in order to
17 expedite the project.

DOC	MSP Site Infrastructure Upgrades				
	21,000,000				21,000,000

20 Funding is provided to expand the capital project in Section 2, Chapter 765, Laws of 2023. The
21 department may also extend existing design, construction, and other contracts at its sole discretion, in order to
22 expedite the project.

DPHHS	MSH Comprehensive Mechanical System Replacement				
	11,200,000				11,200,000

DOC	MSP Comprehensive Mechanical System Replacement				
	4,750,000				4,750,000

DPHHS	MSH Spratt Building Upgrades for Licensure <u>and Facility Fences</u>				
	4,000,000				4,000,000

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1		<u>14,660,000</u>	<u>14,660,000</u>
2	Funding may be redirected by the office of budget and program planning to address other capital		
3	project needs at the Montana State Hospital, subject to 17-7-210.		
4	<u>DPHHS MMHNCC Unit D</u>		
5	<u>Remodel for Licensure</u>		
6		<u>700,000</u>	<u>700,000</u>
7	MUS UM Selected Classrooms and Teaching Labs Modernization		
8		11,600,000	11,600,000
9	DNRC Missoula New Forestry and Trust Lands Office Building		
10		3,000,000	3,000,000
11		<u>2,000,000</u>	<u>2,000,000</u>
12	DNRC Helena Wildland Firefighter Bunkhouses		
13		3,860,000	3,860,000
14	DNRC Libby Wildland Firefighter Bunkhouses and Office Addition		
15		3,600,000 600,000	4,200,000
16	DNRC Plains Wildland Firefighter Bunkhouse		
17		1,930,000	1,930,000
18	<u>DNRC Bunkhouses in Helena, Libby, and Plains and Office Addition</u>		
19		<u>1,500,000</u> 600,000	<u>2,100,000</u>
20	<u>The department of administration may prioritize the funding, design, and construction between each of</u>		
21	<u>the bunkhouses and office additions as necessary to meet the intent of [sections 3(8)(c) and 3(9)].</u>		
22	DOA Capitol Complex Roof Replacements		
23		4,100,000	4,100,000
24	MUS UM Selected Roof Replacements		
25		3,000,000	3,000,000
26	MUS MT Tech Highlands College Roof Replacement		
27		5,000,000	5,000,000
28	MUS MSUB Cisel Hall HVAC and Plumbing System Upgrades		

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1		4,000,000		4,000,000
2	DOA Capitol Complex Elevator System Upgrades			
3		5,700,000		5,700,000
4	MSDB Vocational Building Renovation Demolition and New Construction			
5		5,120,000		5,120,000
6		<u>4,000,000</u>		<u>4,000,000</u>
7	MUS MSU Lewis Hall New Elevator and ADA Upgrades			
8		4,600,000		4,600,000
9	MUS UM Music Building Renovation			
10		7,250,000	7,250,000	14,500,000
11	DOA 1227 11th Avenue Renovation			
12		3,600,000		3,600,000
13	DOA 1300 11th Avenue Renovation			
14		4,150,000		4,150,000
15	MUS UM Mansfield Library Renovation			
16		9,000,000	9,000,000	18,000,000
17	MUS MSU Hamilton Hall 3rd and 4th Floor Renovation			
18		5,230,000		5,230,000
19	DOA 5 South Last Chance Gulch Building Renovation			
20		17,300,000		17,300,000
21	DMA SMART Deferred Maintenance Program, Statewide			
22		1,500,000	4,500,000	6,000,000
23	DOC MSP Construction Education Program Building Renovation and Old Territorial Prison Repair			
24		4,000,000		4,000,000
25		<u>4,200,000</u>		<u>4,200,000</u>
26	DMA Billings Limited Army Aviation Support Facility, Phase 2			
27		23,100,000		23,100,000
28	DMA MTANG New Training Drop Zone			

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1		1,800,000	1,800,000
2	DOJ	MLEA New Indoor Firing Range	
3		10,000,000	10,000,000
4	DMA	MT State Veterans' Cemetery, New Interment Processing Center	
5		1,925,000	1,925,000
6		600,000	600,000
7	FWP	Central Services Site Upgrades Phase 2	
8		13,350,000	13,350,000
9	FWP	Central Services Site Upgrades Phase 3	
10		16,680,000	16,680,000
11	FWP	Region 5 Cooney State Park Storage Building	
12		220,000	220,000
13	FWP	Region 5 Deadman's Basin FAS Storage Building	
14		340,000	340,000
15	FWP	State Park Storage Building at Cooney Park and Deadman Basin FAS	
16		375,000	375,000
17	<u>The department of administration may prioritize the funding, design, and construction between each of</u>		
18	<u>the storage buildings as necessary to meet the intent of [sections 3(8)(c) and 3(10)].</u>		
19	MDT	Three Forks Equipment Storage Building	
20		3,000,000	3,000,000
21	MDT	Wolf Creek Equipment Storage Building	
22		2,400,000	2,400,000
23	MDT	Lodge Grass Equipment Storage Building	
24		2,400,000	2,400,000
25	MDT	Conrad Equipment Storage Building	
26		3,500,000	3,500,000
27	MDT	Miles City Equipment Storage Building	
28		4,200,000	4,200,000

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1 MDT Equipment Storage Buildings at Three Forks, Wolf Creek, Lodge Grass, Conrad, and Miles City

2 5,300,000 5,300,000

3 The department of administration may prioritize the funding, design, and construction between each of
4 the equipment storage buildings as necessary to meet the intent of [sections 3(8)(c) and 3(11)].

5 MUS MSUB New Art Building

6 13,400,000 13,400,000

7 MUS UM New Bandy Ranch Field Research Housing

8 2,000,000 2,000,000

9 MUS UM Bio Research Building Addition

10 8,000,000 8,000,000

11 MUS MSU Instructional Space Modernization

12 4,000,000 4,000,000

13 MUS UM Law School Interior Remodel

14 3,000,000 3,000,000

15 MUS UM McGill Hall Addition

16 ~~2,000,000~~ ~~2,000,000~~

17 3,000,000 3,000,000

18 Authority-only increase is provided for the project in Section 3, Chapter 763, Laws of 2023.

19 MUS MSU Nopper Building Purchase

20 6,500,000 6,500,000

21 MUS UM Undergraduate Research Lab Upgrades and Improvements

22 10,000,000 10,000,000

23 MUS UM South Campus Tennis Court Complex

24 8,300,000 8,300,000

25 MUS MSU Visual Communications Building Classroom Addition

26 ~~2,500,000~~ ~~2,500,000~~

27 11,500,000 11,500,000

28 Authority-only increase is provided for the project in Section 2, Chapter 422, Laws of 2019, and Section

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1 3, Chapter 763, Laws of 2023.

2 MUS Women's Soccer Locker Room Remodel and Lighting

3 400,000 400,000

4 MUS Montana Tech Campus Expansion and Upgrades 50,000,000 50,000,000

5 (2) The following money is appropriated to the department of military affairs for the indicated
6 capital development projects from the indicated sources. Funds not requiring legislative appropriation are
7 included for the purpose of authorization and are subject to the provisions of 18-2-103.

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

11 DMA Fort Harrison Open Bay Barracks

12 18,120,000 18,120,000

13 10,500,000 10,500,000

14 Federal special revenue is provided for the purposes of construction for the project consented to by the
15 governor in August 2024 in accordance with 18-2-102(2)(e) for use of \$1,880,000 of federal funds for design
16 only.

17 DMA Fort Harrison Vehicle Paint Shop Construction

18 6,960,000 6,960,000

19 4,000,000 4,000,000

20 DMA MTARNG Vehicle Maintenance Shop Construction

21 40,600,000 40,600,000

22 20,000,000 20,000,000

23 DMA Limestone Hills Target Storage Building Replacement

24 385,000 385,000

25 60,000 60,000

26 DMA Veterans' Cemetery Expansions, Statewide

27 1,000,000 1,000,000

28 DMA Capital Reserve Fund 31,505,000 31,505,000

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(3) (a) The capital reserve fund may be used by the department of military affairs to fund projects in [section 3] subsequently identified after the passage of [this act].

(b) A project must be prepared that describes each task to be completed with a budget for each proposed project. The project description must be submitted by the department of military affairs through the department of administration to the general government budget committee and the long-range planning budget committee. After the project description has been submitted to those committees, the budget director may approve, modify, or deny the proposed project.

~~(3)~~(4) (a) The following money is appropriated to the office of budget and program planning for the indicated capital development project from the indicated source for the purpose of major repairs and capital projects on the Capitol complex:

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
OBPP	Capitol Complex	Deferred Maintenance and Renewal			
	50,000,000				50,000,000

(b) The office of budget and program planning is authorized to transfer any or all of the appropriation to the department of administration. The department of administration is authorized to adjust major repair or capital development project amounts within the legislative intent, if approved by the office of budget and program planning, and to transfer the appropriations, authority, or both among the necessary fund types.

(c) The funds may be used in conjunction with projects appropriated in Section 14, Subsection 4, Chapter 762, Laws of 2023. The department may also extend existing design, construction, and other contracts at its sole discretion.

(d) The funds may not be utilized in or for space leased or to be leased by a state agency or to construct or acquire additional state-owned square footage.

~~(4)~~(5) (a) The following money is appropriated to the department of administration for the purpose of capital development projects planning studies for agencies, including the university system, on capital projects that are anticipated to be greater than a total project cost of \$10 million:

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

4	DOA	Capital Development Projects Planning Studies				
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5		2,000,000				2,000,000
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(b) Prior to usage of the funds, the department shall require agencies to submit individual capital project applications, along with 6-year facilities strategic plans, and make recommendations to the office of budget and program planning. A planning study must be approved by the office of budget and program planning prior to commencement by the department.

(c) The results of a planning study must contain the full narrative and explanation of the needs, project scope and programmatic information, design and construction schedule, itemized total capital project costs, any future staffing costs, and any future operations and maintenance costs.

(d) Subject to 17-7-211, agencies, including the university system, may utilize other funding sources to initiate or participate in a capital projects planning study.

~~(5)(6)~~ (a) The following money is appropriated to the department of administration as reserve funding on major repair-type and capital development-type capital projects:

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

20	DOA	Reserve Funds for Market, Supply Chain, and Inflationary Impacts				
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21		10,000,000				10,000,000
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(b) Prior to usage of the funds, the department shall submit a recommendation with sufficient justification for approval to the office of budget and program planning.

(c) Funding may not be used to expand beyond the scope of a project authorized by the legislature. This aggregate amount does not limit or restrict 17-7-211.

~~(6)(7)~~ (a) Pursuant to 17-7-210, if construction or acquisition of a new facility requires an immediate or future increase in state funding for program expansion or operations and maintenance, the legislature may not authorize the new facility unless it also appropriates funds for the increase in state funding for program

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expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in this subsection reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-304.

(b) Subject to subsection ~~(6)(d)~~ (7)(d), the following money is appropriated for the biennium beginning July 1, 2025, to the indicated agency from the indicated sources for program expansion or operations and maintenance for the indicated new facility:

Agency/Project	General Fund	State Special Revenue	Federal Special Revenue	Authority Only Sources	Total
DOC MSP Low-Side Housing Expansion	1,300,000				1,300,000
DNRC Missoula New Forestry and Trust Lands Office Building		50,876			50,876
DNRC Helena Wildland Firefighter Bunkhouses		66,360			66,360
DNRC Libby Wildland Firefighter Bunkhouses and Office Addition		33,180			33,180
DNRC Plains Wildland Firefighter Bunkhouse		33,180			33,180
MUS MSU Lewis Hall New Elevator and ADA Upgrades	37,800				37,800
DOA 5 South Last Chance Gulch Building Renovation	173,550				173,550
DMA Billings Limited Army Aviation Support Facility, Phase 2					
		107,400			107,400
			107,400		107,400
DOJ MLEA New Indoor Firing Range					
			150,000		150,000

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1			<u>150,000</u>	<u>150,000</u>
2	DMA	MT State Veterans' Cemetery, New Interment Processing Center		
3		9,625		9,625
4	FWP	Central Services Site Upgrades Phase 2		
5		133,468		133,468
6	FWP	Central Services Site Upgrades Phase 3		
7		208,545		208,545
8	FWP	Region 5 Cooney State Park Storage Building		
9		2,778		2,778
10	FWP	Region 5 Deadman's Basin FAS Storage Building		
11		4,250		4,250
12	MDT	Three Forks Equipment Storage Building		
13		48,150		48,150
14	MDT	Wolf Creek Equipment Storage Building		
15		33,400		33,400
16	MDT	Lodge Grass Equipment Storage Building		
17		33,400		33,400
18	MDT	Conrad Equipment Storage Building		
19		41,650		41,650
20	MDT	Miles City Equipment Storage Building		
21		44,750		44,750
22	MUS	MSUB New Art Building		
23		257,680		257,680
24	MUS	UM New Bandy Ranch Field Research Housing		
25		108,705		108,705
26	MUS	UM Bio Research Building Addition		
27		246,050		246,050
28	MUS	UM McGill Hall Addition		

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1		71,968		71,968
2	MUS	MSU Nopper Building Purchase		
3		1,252,186		1,252,186
4	MUS	UM South Campus Tennis Court Complex		
5			359,086	359,086
6	MUS	MSU Visual Communications Building Classroom Addition		
7		59,286		59,286
8		59,286	140,403	199,689
9	DMA	Fort Harrison Open Bay Barracks		
10			204,800	204,800
11	DMA	Fort Harrison Vehicle Paint Shop Construction		
12			42,100	42,100
13	DMA	MTARNG Vehicle Maintenance Shop Construction		
14			134,800	134,800
15	DMA	Fort Harrison Facility Maintenance Shop #3 (FMS #3) Acquisition		
16		31,000		31,000
17	<u>MUS Montana Tech Campus Expansion and Upgrades</u>			
18		<u>2,543,693</u>		<u>2,543,693</u>

Funds for operations and maintenance are provided upon completion of the transfer of the facility from federal to state ownership. The department of administration may utilize the FMS #3 to construct either or both the capital projects DMA DES State Emergency Coordination Center Expansion and DMA DES State Disaster Warehouse in Section 3, Chapter 763, Laws of 2023. If constructed within the FMS #3, the operations and maintenance funding for either or both the projects in Section 3, Chapter 763, Laws of 2023, shall transfer to the acquired FMS #3.

25	DMA	Billings Readiness Center and Innovation Campus (BRIC)		
26		98,500 (General Fund)	98,500 (Federal Special Revenue)	197,000 (Total)

Funds for operations and maintenance are provided for the project in Section 3, Chapter 763, Laws of 2023, and are contingent on the sale of the existing Billings Armed Forces Reserve Center (BAFRC). After the

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1 sale, operations and maintenance funding currently appropriated to the department of military affairs for the
2 existing Billings Armed Forces Reserve Center shall then be added to and utilized for the new Billings
3 Readiness Center operations and maintenance.

4 DOA Governor's Office, ~~740-720~~ Madison Avenue

5 270,250 (General Fund)

270,250 (Total)

6 Funds for operations and maintenance are provided upon completion of the transfer of the real property
7 to the department of administration.

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

10 (d) Appropriations in subsection ~~(6)(b)-(7)(b)~~ are contingent on the passage and approval of a bill
11 that includes an appropriation for the construction of the indicated projects in subsection ~~(6)(b)-(7)(b)~~.

12 (e) Funds appropriated in [this act] and prior appropriations, including House Bill 2, House Bill 5,
13 and House Bill 872 from the 2023 session, may not be used to construct or staff a guard house at the Montana
14 state hospital.

15 (8) The department of administration shall prioritize the project management and contracting for
16 design and construction of capital projects contained in [this act] and may combine or bundle projects at its
17 discretion, in the following order:

18 (a) (i) projects for the department of public health and human services, specifically DPHHS MSH
19 Comprehensive Mechanical System Replacement, DPHHS MSH Spratt Building Upgrades for Licensure and
20 Facility Fences, and the DPHHS MMHNCC D-Wing Remodel for Licensure;

21 (ii) projects for the department of corrections, specifically DOC MSP Low-Side Housing Expansion,
22 DOC MSP Site Infrastructure Upgrades, DOC MSP Comprehensive Mechanical System Replacement, and the
23 DOC MSP Construction Education Program Building Renovation and Old Territorial Prison Repair;

24 (iii) remaining projects in [this act] as determined by the department in accordance with 18-2-104
25 and taking into consideration prior appropriated capital projects.

26 (b) Based upon project type or location, the department may combine or bundle the procurement
27 of design services, bidding, and construction contracting for the purposes of efficiently implementing capital
28 projects in either [section 2] or [section 3] or both.

1 (c) The department may also extend existing design, construction, and other contracts for capital
2 projects in either [section 2] or [section 3] or both at its sole discretion, in order to expedite the implementation,
3 design, and construction of capital projects in [this act].

4 (d) Should funding in House Bill 3 be insufficient for the replacement of the security doors in the
5 RHU and SAU facilities at the Montana State Prison, the department of administration is authorized to adjust
6 prior capital project appropriations in House Bill 817 of the 68th session and appropriations in [this act] for the
7 department of corrections to complete the replacement of the security doors.

8 (9) The department shall develop standardized designs for bunkhouses used by all state agencies
9 differentiated only by the number of beds they contain. Only one architectural fee may be paid for the
10 bunkhouse design.

11 (10) The department shall develop standardized designs for storage sheds used by all state
12 agencies differentiated only by the size of the shed. Only one architectural fee may be paid for the storage shed
13 design.

14 (11) The department shall develop standardized designs for department of transportation equipment
15 storage buildings differentiated only by the number of equipment bays in the structure. Only one architectural
16 fee may be paid for the equipment storage building design.

17 (12) The architecture and engineering division of the department of administration shall provide a
18 written report on the progress in implementing the projects identified as priority projects in subsections (8)(a)(i)
19 and (8)(a)(ii) and the work done to implement projects in subsection (8)(a)(iii) 5 days prior to a meeting of the
20 following committees:

21 (a) the legislative finance committee; and

22 (b) the long-range planning budget committee.

23
24 **NEW SECTION. Section 4. Capital improvement projects.** (1) The following money is appropriated
25 to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital
26 improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose
27 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 Administrative Facilities Major Maintenance				
5		2,800,000			2,800,000
6	FWP Fishing Access Site Major Maintenance				
7		1,590,000			1,590,000
8	FWP Statewide Hatchery Maintenance and Repairs				
9		2,500,000			2,500,000
10	FWP Fishing Access Site Noxious Weed Control				
11		250,000			250,000
12	FWP Wildlife Management Area Maintenance				
13		3,380,000			3,380,000
14	FWP State Parks Major Maintenance				
15		4,500,000			4,500,000
16	FWP State Parks Noxious Weed Control				
17		250,000			250,000
18	FWP Statewide Wildlife Habitat Management Areas Improvements				
19		680,000			680,000
20	FWP Future Fisheries				
21		2,000,000			2,000,000
22	FWP Contract Programs				
23		2,250,000			2,250,000
24	FWP Fish Connectivity				
25		1,635,000	1,775,000		3,410,000
26	FWP Lewis and Clark Caverns State Park Water System				
27		692,500	692,500		1,385,000
28	FWP Community Fishing Ponds				

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1			200,000		200,000	
2	FWP	Parks and Outdoor Recreation Site Development and Upgrades				
3			2,300,000	510,000	2,810,000	
4			<u>4,509,680</u>	<u>510,000</u>	<u>5,019,680</u>	
5		<u>For the Judith Landing Site, noxious weed control must be performed with a portion of the funds</u>				
6		<u>appropriated for the location.</u>				
7	FWP	Upland Game Bird Enhancement Program				
8			2,000,000		2,000,000	
9	FWP	Dam Maintenance				
10			90,000		90,000	
11	FWP	Region 5 HQ Pemberton Lane Improvements				
12			255,000		255,000	
13	FWP	Grants Programs				
14			5,800,000	7,900,000	13,700,000	
15	FWP	Bannack State Park Historic Preservation				
16			250,000		250,000	
17	FWP	Forest Management Program				
18			250,000		250,000	
19	FWP	Tongue/Yellowstone/Muggli Fishery Infrastructure Improvements				
20			1,430,000		1,430,000	
21	(2)	Authority is granted to the Montana university system for the purpose of making capital				
22		improvements to campus facilities statewide. Authority-only funds may include donations, grants, auxilian				
23		funds, proprietary funds, nonstate funds, and university funds. Use of authority-only funds may be allocat				
24		not more than \$2,500,000 per project and are subject to the provisions of 18-2-103. All costs for the oper				
25		and maintenance of any improvements constructed under this authorization must be paid by the Montana				
26		university system from nonstate sources:				
27	Agency/Project	LRBP	State	Federal	Authority	Total
28		Fund	Special	Special	Only	

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	Revenue	Revenue	Sources	
General Spending Authority, MUS All Campuses			20,000,000	20,000,000

(3) The following money is appropriated to the department of transportation in the indicated amount for the purpose of making capital improvements to statewide facilities as indicated and are subject to the provisions of 18-2-103:

Agency/Project LRBP	State	Federal	Authority	Total
Fund	Special	Special	Only	
	Revenue	Revenue	Sources	
Maintenance, Repair, and Small Projects, Statewide				
	3,000,000			3,000,000

(4) 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. The capital improvements are subject to the provisions of 18-2-103. All costs for the operation and maintenance of any improvements constructed with these funds must be paid by the department of military affairs from nonstate sources:

Agency/Project LRBP	State	Federal	Authority	Total
Fund	Special	Special	Only	
	Revenue	Revenue	Sources	
Federal Spending Authority		3,000,000		3,000,000

(5) The following money is appropriated to the department of environmental quality in the indicated amount for the purpose of leaking petroleum tank remediation to address risks to human health or the environment at petroleum sites where there is no readily apparent potentially liable person or entity that is financially viable:

<u>Agency/Project LRBP</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Total</u>
<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Revenue</u>
	<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	
<u>Remediation of Leaking Petroleum Tanks</u>				
	<u>2,000,000</u>			<u>2,000,000</u>

Section 12. Section 17-7-202, MCA, is amended to read:

"17-7-202. Preparation of building programs and submission to department of administration -- statewide facility inventory and condition assessment. (1) Before ~~July 1~~April 1 of the year preceding a legislative session, each state agency and institution shall submit to the architecture and engineering division of the department of administration, on forms furnished by the division, a proposed long-range building program for major repair projects and capital developments, if any, for the agency or institution along with the agency's or institution's 6-year capital development facilities strategic plan. Excluding major repair projects greater than \$2,500,000, the division may not include a capital development project request in the information provided pursuant to 17-7-202(4) without the project also being included in an agency's or institution's 6-year capital development facilities strategic plan, unless approved by the office of budget and program planning. Each agency and institution shall furnish any additional information requested by the division relating to the utilization of or need for major repair projects and capital developments.

(2) (a) Except as provided in subsection (3), the division shall compile and maintain a statewide facility inventory and condition assessment that:

(i) for each state-owned building:

(A) identifies its location and total square footage;

(B) identifies the agency or agencies using or occupying the building and how much square footage each agency uses or occupies;

(C) lists the current replacement value of the building in its entirety and each agency's portion of the building; and

(D) identifies whether the building is a long-range building program-eligible building; and

(ii) for each long-range building program-eligible building:

(A) includes a facility condition assessment of the building and an itemized list of the building's deficiencies; and

(B) compares the building's current building deficiency ratio to its deficiency ratio in the previous biennium.

(b) The division may contract with a private vendor to collect, analyze, and compile the building information required in this subsection (2).

(c) The facility inventory and condition assessment must be updated as determined by the division.

(d) The division may incorporate in the statewide facility inventory and condition assessment any facility condition assessment or similar document compiled by an agency.

(e) The division shall provide the statewide facility inventory and condition assessment, including a calculation of the deferred maintenance backlog and overall building deficiency ratio of the long-range building program-eligible buildings, to the office of budget and program planning and the legislative finance committee by September 1 of the year preceding a regular legislative session in an electronic format. The division shall provide a copy of the report to the legislature in accordance with 5-11-210.

(3) The division is not required to include a state-owned building that has a current replacement value of ~~\$150,000~~ \$300,000 or less in the facility inventory and condition assessment.

(4) The division shall examine the information furnished by each agency and institution and shall gather whatever additional information is necessary and conduct whatever surveys are necessary in order to provide a factual basis for determining the need for and the feasibility of major repair projects and capital developments. The information compiled by the division shall be submitted to the governor before October 1 of the year preceding a regular legislative session."

Section 13. Section 17-7-210, MCA, is amended to read:

"17-7-210. Required funding for maintenance of newly authorized state buildings. (1) If construction or acquisition of a new facility requires an immediate or future increase in state funding for program expansion or operations and maintenance, the legislature may not authorize the new facility unless it also appropriates funds for the increase in state funding for program expansion and operations and maintenance.

(2) (a) To the extent allowed by law, at the end of each fiscal year following approval of a new facility but prior to receipt of its certificate of occupancy or acquisition, the appropriation made pursuant to subsection (1) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-304.

(b) When a certificate of occupancy or acquisition for a new facility is received prior to the end of the fiscal year, the amount of the appropriation made pursuant to subsection (1) that reverts to its originating fund is the prorated amount from the beginning of the fiscal year to the date of the receipt of the certificate of

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- 1 (iv) an essential building component; or
- 2 (v) infrastructure, including a utility tunnel, water line, gas line, sewer line, roof, parking lot, or road;
- 3 or
- 4 (c) projects that demolish and replace an existing building or facility that is in extensive disrepair
- 5 and cannot be fixed by repair or maintenance.
- 6 (6) In prioritizing major repair projects, the division shall allocate no more than 20% of the funds
- 7 that the legislature appropriates for major repair to:
- 8 (a) remodeling and aesthetic upgrades to meet programmatic needs; or
- 9 (b) construct an addition to an existing building or facility."

11 **Section 15.** Section 3, Chapter 763, Laws of 2023, is amended to read:

12 The portion of section 3(1), Chapter 763, Laws of 2023, appropriating money from the capital

13 development account to the department of administration for the indicated capital project is amended to read:

14 "DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance

15 15,903,000

15,903,000

16 ~~Up to \$10,000,000 of funding for the project must be used for rebuilding a water line constructed by the~~

17 ~~state serving the Montana State Hospital. The department is authorized to contract with Anaconda-Deer Lodge~~

18 ~~County for this portion of the project at the department's discretion."~~

20 NEW SECTION. **Section 16. Transfer of funds.** (1) By June 30, 2027, the department of

21 administration shall transfer \$150 million from the general fund to the capital developments long-range building

22 program account established in 17-7-209.

23 (2) By July 1, 2025, the state treasurer shall transfer \$2 million from the general fund to a state

24 special account within the department of environmental quality for the purpose of leaking petroleum tank

25 remediation.

27 COORDINATION SECTION. **Section 17. Coordination instruction.** If both [~~C0544~~ House Bill No.

28 217 and [this act] are passed and approved, then the reference to the department of environmental quality in

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[section 8 of this act] must be changed to "the department of administration architecture and engineering division".

Section 18. Section 14(1), Chapter 762, Laws of 2023, is amended to read:

"Section 14. Appropriations. (1) There is appropriated \$12.5 million from the account established in [section 11] to the legislative branch for the biennium beginning July 1, 2023, for the purposes set forth in subsections (2) and (3). This appropriation is reappropriated for the purposes of the original appropriation until the funds are fully expended."

NEW SECTION. **Section 19. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 20. Effective date.** [This act] is effective on passage and approval.

- END -