

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; PROVIDING FOR A MODIFICATION TO THE LONG-RANGE BUILDING PROGRAM; INCREASING CERTAIN VALUE THRESHOLDS FROM \$150,000 TO \$300,000; AMENDING SECTIONS 17-7-201, 17-7-202, 17-7-210, AND 17-7-223, MCA; AMENDING 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 projects fund type provided for in 17-7-221.

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

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1 use of the funds by the department.

2 (3) The following money is appropriated to the department of military affairs for the indicated major  
3 repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the  
4 purpose of authorization and are subject to the provisions of 18-2-103.

5	Agency/Project	LRBP	State	Federal	Authority	Total
6		MR	Special	Special	Only	
7		Fund	Revenue	Revenue	Sources	
8	DMA	Statewide Indoor Firing Range Remediation				
9				2,450,000		2,450,000
10	DMA	MTARNG Buildings MEP Repairs				
11				1,970,000		1,970,000
12	DMA	FTH Building 1009 New Generator				
13				255,000		255,000
14	DMA	Helena AFRC New Underground Stormwater Piping System				
15				230,000		230,000
16	DMA	FTH New Powered Fire Department Access Gate				
17				225,000		225,000
18	DMA	FTH Range Operations Center Site Work				
19				380,000		380,000
20	DMA	FTH Building 1017 New Shower Rooms				
21				110,000		110,000
22	DMA	MTARNG Buildings New PV Solar Arrays and Repairs				
23				690,000		690,000

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

26 The following money is appropriated to the department of administration for the indicated capital development

27 projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of

28 authorization. The department of administration is authorized to transfer the appropriations, authority, or both

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1 among the necessary fund types for these projects:

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

5 DOC MSP Low-Side Housing Expansion

6	150,000,000	150,000,000
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7 Funding is provided to expand the capital project in Section 2, Chapter 765, Laws of 2023. The  
8 department may extend existing design, construction, and other contracts at its sole discretion, in order to  
9 expedite the project.

10 DOC MSP Site Infrastructure Upgrades

11	21,000,000	21,000,000
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12 Funding is provided to expand the capital project in Section 2, Chapter 765, Laws of 2023. The  
13 department may also extend existing design, construction, and other contracts at its sole discretion, in order to  
14 expedite the project.

15 DPHHS MSH Comprehensive Mechanical System Replacement

16	11,200,000	11,200,000
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17 DOC MSP Comprehensive Mechanical System Replacement

18	4,750,000	4,750,000
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19 DPHHS MSH Spratt Building Upgrades for Licensure

20	4,000,000	4,000,000
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21 Funding may be redirected by the office of budget and program planning to address other capital  
22 project needs at the Montana State Hospital, subject to 17-7-210.

23 MUS UM Selected Classrooms and Teaching Labs Modernization

24	11,600,000	11,600,000
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25 DNRC Missoula New Forestry and Trust Lands Office Building

26	3,000,000	3,000,000
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27 DNRC Helena Wildland Firefighter Bunkhouses

28	3,860,000	3,860,000
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1	DNRC Libby Wildland Firefighter Bunkhouses and Office Addition		
2		3,600,000 600,000	4,200,000
3	DNRC Plains Wildland Firefighter Bunkhouse		
4		1,930,000	1,930,000
5	DOA Capitol Complex Roof Replacements		
6		4,100,000	4,100,000
7	MUS UM Selected Roof Replacements		
8		3,000,000	3,000,000
9	MUS MT Tech Highlands College Roof Replacement		
10		5,000,000	5,000,000
11	MUS MSUB Cisel Hall HVAC and Plumbing System Upgrades		
12		4,000,000	4,000,000
13	DOA Capitol Complex Elevator System Upgrades		
14		5,700,000	5,700,000
15	MSDB Vocational Building Renovation		
16		5,120,000	5,120,000
17	MUS MSU Lewis Hall New Elevator and ADA Upgrades		
18		4,600,000	4,600,000
19	MUS UM Music Building Renovation		
20		7,250,000	7,250,000 14,500,000
21	DOA 1227 11th Avenue Renovation		
22		3,600,000	3,600,000
23	DOA 1300 11th Avenue Renovation		
24		4,150,000	4,150,000
25	MUS UM Mansfield Library Renovation		
26		9,000,000	9,000,000 18,000,000
27	MUS MSU Hamilton Hall 3rd and 4th Floor Renovation		
28		5,230,000	5,230,000

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1	DOA	5 South Last Chance Gulch Building Renovation		
2		17,300,000		17,300,000
3	DMA	SMART Deferred Maintenance Program, Statewide		
4		1,500,000	4,500,000	6,000,000
5	DOC	MSP Construction Education Program Building Renovation		
6		4,000,000		4,000,000
7	DMA	Billings Limited Army Aviation Support Facility, Phase 2		
8		23,100,000		23,100,000
9	DMA	MTANG New Training Drop Zone		
10		1,800,000		1,800,000
11	DOJ	MLEA New Indoor Firing Range		
12		10,000,000		10,000,000
13	DMA	MT State Veterans' Cemetery, New Interment Processing Center		
14		1,925,000		1,925,000
15	FWP	Central Services Site Upgrades Phase 2		
16		13,350,000		13,350,000
17	FWP	Central Services Site Upgrades Phase 3		
18		16,680,000		16,680,000
19	FWP	Region 5 Cooney State Park Storage Building		
20		220,000		220,000
21	FWP	Region 5 Deadman's Basin FAS Storage Building		
22		340,000		340,000
23	MDT	Three Forks Equipment Storage Building		
24		3,000,000		3,000,000
25	MDT	Wolf Creek Equipment Storage Building		
26		2,400,000		2,400,000
27	MDT	Lodge Grass Equipment Storage Building		
28		2,400,000		2,400,000

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1	MDT	Conrad Equipment Storage Building		
2			3,500,000	3,500,000
3	MDT	Miles City Equipment Storage Building		
4			4,200,000	4,200,000
5	<u>MDT Purchase of Equipment Repair Shop and Property</u>			
6			<u>8,500,000</u>	<u>8,500,000</u>
7	MUS	MSUB New Art Building		
8			13,400,000	13,400,000
9	MUS	UM New Bandy Ranch Field Research Housing		
10			2,000,000	2,000,000
11	MUS	UM Bio Research Building Addition		
12			8,000,000	8,000,000
13	MUS	MSU Instructional Space Modernization		
14			4,000,000	4,000,000
15	MUS	UM Law School Interior Remodel		
16			3,000,000	3,000,000
17	MUS	UM McGill Hall Addition		
18			2,000,000	2,000,000
19	Authority-only increase is provided for the project in Section 3, Chapter 763, Laws of 2023.			
20	MUS	MSU Nopper Building Purchase		
21			6,500,000	6,500,000
22	MUS	UM Undergraduate Research Lab Upgrades and Improvements		
23			10,000,000	10,000,000
24	MUS	UM South Campus Tennis Court Complex		
25			8,300,000	8,300,000
26	MUS	MSU Visual Communications Building Classroom Addition		
27			2,500,000	2,500,000
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 (2) The following money is appropriated to the department of military affairs for the indicated  
3 capital development projects from the indicated sources. Funds not requiring legislative appropriation are  
4 included for the purpose of authorization and are subject to the provisions of 18-2-103.

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

8 DMA Fort Harrison Open Bay Barracks

9			18,120,000		18,120,000
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10 Federal special revenue is provided for the purposes of construction for the project consented to by the  
11 governor in August 2024 in accordance with 18-2-102(2)(e) for use of \$1,880,000 of federal funds for design  
12 only.

13 DMA Fort Harrison Vehicle Paint Shop Construction

14			6,960,000		6,960,000
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15 DMA MTARNG Vehicle Maintenance Shop Construction

16			40,600,000		40,600,000
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17 DMA Limestone Hills Target Storage Building Replacement

18			385,000		385,000
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19 DMA Veterans' Cemetery Expansions, Statewide

20			1,000,000		1,000,000
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21 (3) (a) The following money is appropriated to the office of budget and program planning for the  
22 indicated capital development project from the indicated source for the purpose of major repairs and capital  
23 projects on the Capitol complex:

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

27 OBPP Capitol Complex Deferred Maintenance and Renewal

28			50,000,000		50,000,000
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(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) (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:

Agency/Project	LRBP	State	Federal	Authority	Total
CD		Special	Special	Only	
Fund		Revenue	Revenue	Sources	
DOA	Capital Development Projects Planning Studies				
	2,000,000				2,000,000

(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) (a) The following money is appropriated to the department of administration as reserve funding



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1 on major repair-type and capital development-type capital projects:

2	Agency/Project	LRBP	State	Federal	Authority	Total
3		CD	Special	Special	Only	
4		Fund	Revenue	Revenue	Sources	
5	DOA	Reserve Funds for Market, Supply Chain, and Inflationary Impacts				
6			10,000,000			10,000,000

7 (b) Prior to usage of the funds, the department shall submit a recommendation with sufficient  
8 justification for approval to the office of budget and program planning.

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

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

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

20	Agency/Project	General	State	Federal	Authority	Total
21		Fund	Special	Special	Only	
22			Revenue	Revenue	Sources	
23	DOC	MSP Low-Side Housing Expansion				
24			1,300,000			1,300,000
25	DNRC	Missoula New Forestry and Trust Lands Office Building				
26			50,876			50,876
27	DNRC	Helena Wildland Firefighter Bunkhouses				
28			66,360			66,360

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1	DNRC	Libby Wildland Firefighter Bunkhouses and Office Addition		
2			33,180	33,180
3	DNRC	Plains Wildland Firefighter Bunkhouse		
4			33,180	33,180
5	MUS	MSU Lewis Hall New Elevator and ADA Upgrades		
6			37,800	37,800
7	DOA	5 South Last Chance Gulch Building Renovation		
8			173,550	173,550
9	DMA	Billings Limited Army Aviation Support Facility, Phase 2		
10			107,400	107,400
11	DOJ	MLEA New Indoor Firing Range		
12			150,000	150,000
13	DMA	MT State Veterans' Cemetery, New Interment Processing Center		
14			9,625	9,625
15	FWP	Central Services Site Upgrades Phase 2		
16			133,468	133,468
17	FWP	Central Services Site Upgrades Phase 3		
18			208,545	208,545
19	FWP	Region 5 Cooney State Park Storage Building		
20			2,778	2,778
21	FWP	Region 5 Deadman's Basin FAS Storage Building		
22			4,250	4,250
23	MDT	Three Forks Equipment Storage Building		
24			48,150	48,150
25	MDT	Wolf Creek Equipment Storage Building		
26			33,400	33,400
27	MDT	Lodge Grass Equipment Storage Building		
28			33,400	33,400

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1	MDT	Conrad Equipment Storage Building		
2			41,650	41,650
3	MDT	Miles City Equipment Storage Building		
4			44,750	44,750
5	MUS	MSUB New Art Building		
6			257,680	257,680
7	MUS	UM New Bandy Ranch Field Research Housing		
8			108,705	108,705
9	MUS	UM Bio Research Building Addition		
10			246,050	246,050
11	MUS	UM McGill Hall Addition		
12			71,968	71,968
13	MUS	MSU Nopper Building Purchase		
14			1,252,186	1,252,186
15	MUS	UM South Campus Tennis Court Complex		
16			359,086	359,086
17	MUS	MSU Visual Communications Building Classroom Addition		
18			59,286	59,286
19	DMA	Fort Harrison Open Bay Barracks		
20			204,800	204,800
21	DMA	Fort Harrison Vehicle Paint Shop Construction		
22			42,100	42,100
23	DMA	MTARNG Vehicle Maintenance Shop Construction		
24			134,800	134,800
25	DMA	Fort Harrison Facility Maintenance Shop #3 (FMS #3) Acquisition		
26			31,000	31,000

27 Funds for operations and maintenance are provided upon completion of the transfer of the facility from  
28 federal to state ownership. The department of administration may utilize the FMS #3 to construct either or both

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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.

DMA Billings Readiness Center and Innovation Campus (BRIC)

98,500 (General Fund)	98,500 (Federal Special Revenue)	197,000 (Total)
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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 sale, operations and maintenance funding currently appropriated to the department of military affairs for the existing Billings Armed Forces Reserve Center shall then be added to and utilized for the new Billings Readiness Center operations and maintenance.

DOA Governor's Office, 710 Madison Avenue

270,250 (General Fund)	270,250 (Total)
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Funds for operations and maintenance are provided upon completion of the transfer of the real property to the department of administration.

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

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

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

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Source	