

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

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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) "SBECF" 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 or capital development projects.

6
7 **NEW SECTION. Section 2. Major repair projects appropriations and authorizations.** (1) The
8 following money is appropriated to the department of administration for the indicated major repair projects from
9 the indicated sources. Funds not requiring legislative appropriation are included for the purpose of
10 authorization. The department of administration is authorized to adjust capital project amounts within the
11 legislative intent of the major repair account-funded projects, subject to available revenues, if approved by the
12 office of budget and program planning, and to transfer the appropriations, authority, or both among the
13 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 | | | | | |
| 500,000 | | | | | 500,000 |

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| | | | |
|----|------|---|-----------|
| 1 | DOC | MSP MCE New Emergency Generators | |
| 2 | | 200,000 | 200,000 |
| 3 | DOA | Aviation Support Facility Shop Building New Fire Suppression System | |
| 4 | | 950,000 | 950,000 |
| 5 | MUS | UM Montana Tech Campus Heating Plant Boiler System Upgrade | |
| 6 | | 2,400,000 | 2,400,000 |
| 7 | DOAg | State Grain Lab Heating System Upgrades | |
| 8 | | 150,000 | 150,000 |
| 9 | MUS | MSU GFC Campus Heating and Domestic Hot Water Upgrades | |
| 10 | | 400,000 | 400,000 |
| 11 | DOJ | MHP Boulder MHP/IBC Campus Heating System Upgrades | |
| 12 | | 2,350,000 | 2,350,000 |
| 13 | MUS | UM Helena College Donaldson/Airport Boiler System Replacement | |
| 14 | | 150,000 | 150,000 |
| 15 | DOA | Original Governor's Mansion Heating and Fire Alarm Systems | |
| 16 | | 300,000 | 300,000 |
| 17 | MUS | UM-W Swysgood Tech Center HVAC Cooling System Replacement | |
| 18 | | 370,000 | 370,000 |
| 19 | DOC | Continuation of Xanthopoulos Building Repairs | |
| 20 | | 2,200,000 | 2,200,000 |
| 21 | MUS | MSU Linfield Hall Roof Replacement | |
| 22 | | 850,000 | 850,000 |
| 23 | DOA | State Print and Mail Building Roof Replacement | |
| 24 | | 825,000 | 825,000 |
| 25 | MUS | MSU-N Cowan Hall Exterior Envelope Upgrades | |
| 26 | | 1,725,000 | 1,725,000 |
| 27 | | DPHHS EMVH Water Infiltration and Exterior Envelope Repairs | |
| 28 | | 1,900,000 | 1,900,000 |

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| | | | | |
|----|----------------|---|--|--------------------|
| 1 | MUS | MSU-N Automotive Technology Building Roof Replacement | | |
| 2 | | 460,000 | | 460,000 |
| 3 | MUS | UM HC Donaldson Campus Roofing Replacement | | |
| 4 | | 2,400,000 | | 2,400,000 |
| 5 | DOC | MSP MCE Roof Replacements | | |
| 6 | | 1,350,000 | | 1,350,000 |
| 7 | DOA | Aviation Support Fac Hangar Door Reconstruction and Replacement | | |
| 8 | | 320,000 | | 320,000 |
| 9 | MUS | UM Montana Tech Campus-wide Building Electrical System Upgrades | | |
| 10 | | 1,300,000 | | 1,300,000 |
| 11 | MSDB | Completion of Parking Lot Improvements | | |
| 12 | | 780,000 | | 780,000 |
| 13 | MUS | UM-W Selected Sewer Main Repairs and Replacement | | |
| 14 | | 690,000 | | 690,000 |
| 15 | DOC | MWP Completion of Perimeter Security Upgrades | | |
| 16 | | 600,000 | | 600,000 |
| 17 | OPI | Montana Learning Center Site Infrastructure Upgrades | | |
| 18 | | 700,000 | | 700,000 |
| 19 | MUS | UM-W Steam Distribution System Upgrades | | |
| 20 | | 475,000 | | 475,000 |
| 21 | DOC | PHYCF Utility Tunnel and Heating System Repairs | | |
| 22 | | 1,200,000 | | 1,200,000 |
| 23 | MUS | UM Selected Building Electrical System Upgrades | | |
| 24 | | 1,100,000 | | 1,100,000 |
| 25 | MUS | MSU South Campus Primary Electrical Distribution Upgrades | | |
| 26 | | 1,750,000 | | 1,750,000 |
| 27 | DOC | MSP Gravel Pit Equipment Generator Replacement | | |
| 28 | | 180,000 | | 180,000 |

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

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1
2 (2) Up to \$2.8 million state special revenue from the capital land grant fund is appropriated to the
3 department of administration for the 2027 biennium for use solely on major repair capital projects on the Capitol
4 complex. Major repair capital projects shall be approved by of the office of budget and program planning prior to
5 use of the funds by the department.

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

| Agency/Project | LRBP | State | Federal | Authority | Total |
|----------------|--|---------|-----------|-----------|-----------|
| | MR | Special | Special | Only | |
| | Fund | Revenue | Revenue | Sources | |
| DMA | Statewide Indoor Firing Range Remediation | | 2,450,000 | | 2,450,000 |
| DMA | MTARNG Buildings MEP Repairs | | 1,970,000 | | 1,970,000 |
| DMA | FTH Building 1009 New Generator | | 255,000 | | 255,000 |
| DMA | Helena AFRC New Underground Stormwater Piping System | | 230,000 | | 230,000 |
| DMA | FTH New Powered Fire Department Access Gate | | 225,000 | | 225,000 |
| DMA | FTH Range Operations Center Site Work | | 380,000 | | 380,000 |
| DMA | FTH Building 1017 New Shower Rooms | | 110,000 | | 110,000 |
| DMA | MTARNG Buildings New PV Solar Arrays and Repairs | | 690,000 | | 690,000 |

DMA FTH MIST/MINER Facility Upgrade

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

5,300,000 5,300,000

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

MUS MSUB New Art Building

13,400,000 13,400,000

MUS UM New Bandy Ranch Field Research Housing

2,000,000 2,000,000

MUS UM Bio Research Building Addition

8,000,000 8,000,000

MUS MSU Instructional Space Modernization

4,000,000 4,000,000

MUS UM Law School Interior Remodel

3,000,000 3,000,000

MUS UM McGill Hall Addition

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

3,000,000 3,000,000

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

MUS MSU Nopper Building Purchase

6,500,000 6,500,000

MUS UM Undergraduate Research Lab Upgrades and Improvements

10,000,000 10,000,000

MUS UM South Campus Tennis Court Complex

8,300,000 8,300,000

MUS MSU Visual Communications Building Classroom Addition

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

11,500,000 11,500,000

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

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

| 9 | Agency/Project | LRBP | State | Federal | Authority | Total |
|----|----------------|---------------------------------|---------|-----------------------|-----------|-----------------------|
| 10 | | CD | Special | Special | Only | |
| 11 | | Fund | Revenue | Revenue | Sources | |
| 12 | DMA | Fort Harrison Open Bay Barracks | | | | |
| 13 | | | | 18,120,000 | | 18,120,000 |
| 14 | | | | <u>10,500,000</u> | | <u>10,500,000</u> |

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

| | | | | | | |
|----|-----|---|--|-----------------------|--|-----------------------|
| 18 | DMA | Fort Harrison Vehicle Paint Shop Construction | | | | |
| 19 | | | | 6,960,000 | | 6,960,000 |
| 20 | | | | <u>4,000,000</u> | | <u>4,000,000</u> |
| 21 | DMA | MTARNG Vehicle Maintenance Shop Construction | | | | |
| 22 | | | | 40,600,000 | | 40,600,000 |
| 23 | | | | <u>20,000,000</u> | | <u>20,000,000</u> |
| 24 | DMA | Limestone Hills Target Storage Building Replacement | | | | |
| 25 | | | | 385,000 | | 385,000 |
| 26 | | | | <u>60,000</u> | | <u>60,000</u> |
| 27 | DMA | Veterans' Cemetery Expansions, Statewide | | | | |
| 28 | | | | 1,000,000 | | 1,000,000 |

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

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

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

9 ~~(3)~~(4) (a) The following money is appropriated to the office of budget and program planning for the
10 indicated capital development project from the indicated source for the purpose of major repairs and capital
11 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 |

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

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

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

27 ~~(4)~~(5) (a) The following money is appropriated to the department of administration for the purpose of
28 capital development projects planning studies for agencies, including the university system, on capital projects

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1 that are anticipated to be greater than a total project cost of \$10 million:

| | | | | | | |
|---|----------------|---|---------|---------|-----------|-----------|
| 2 | Agency/Project | LRBP | State | Federal | Authority | Total |
| 3 | | CD | Special | Special | Only | |
| 4 | | Fund | Revenue | Revenue | Sources | |
| 5 | DOA | Capital Development Projects Planning Studies | | | | |
| 6 | | 2,000,000 | | | | 2,000,000 |

7 (b) Prior to usage of the funds, the department shall require agencies to submit individual capital
8 project applications, along with 6-year facilities strategic plans, and make recommendations to the office of
9 budget and program planning. A planning study must be approved by the office of budget and program
10 planning prior to commencement by the department.

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

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

16 ~~(5)(6)~~ (a) The following money is appropriated to the department of administration as reserve funding
17 on major repair-type and capital development-type capital projects:

| | | | | | | |
|----|----------------|--|---------|---------|-----------|------------|
| 18 | Agency/Project | LRBP | State | Federal | Authority | Total |
| 19 | | CD | Special | Special | Only | |
| 20 | | Fund | Revenue | Revenue | Sources | |
| 21 | DOA | Reserve Funds for Market, Supply Chain, and Inflationary Impacts | | | | |
| 22 | | 10,000,000 | | | | 10,000,000 |

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

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

27 ~~(6)(7)~~ (a) Pursuant to 17-7-210, if construction or acquisition of a new facility requires an immediate
28 or future increase in state funding for program expansion or operations and maintenance, the legislature may

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not authorize the new facility unless it also appropriates funds for the increase in state funding for program 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 | | | | | |
| | | <u>107,400</u> | | | <u>107,400</u> |
| | | | <u>107,400</u> | | <u>107,400</u> |
| DOJ MLEA New Indoor Firing Range | | | | | |

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

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| | | | | |
|----|---|---|----------------------------------|--------------------|
| 1 | MUS | UM McGill Hall Addition | | |
| 2 | | 71,968 | | 71,968 |
| 3 | MUS | MSU Nopper Building Purchase | | |
| 4 | | 1,252,186 | | 1,252,186 |
| 5 | MUS | UM South Campus Tennis Court Complex | | |
| 6 | | | 359,086 | 359,086 |
| 7 | MUS | MSU Visual Communications Building Classroom Addition | | |
| 8 | | 59,286 | | 59,286 |
| 9 | | 59,286 | 140,403 | 199,689 |
| 10 | DMA | Fort Harrison Open Bay Barracks | | |
| 11 | | 204,800 | | 204,800 |
| 12 | DMA | Fort Harrison Vehicle Paint Shop Construction | | |
| 13 | | 42,100 | | 42,100 |
| 14 | DMA | MTARNG Vehicle Maintenance Shop Construction | | |
| 15 | | 134,800 | | 134,800 |
| 16 | DMA | Fort Harrison Facility Maintenance Shop #3 (FMS #3) Acquisition | | |
| 17 | | 31,000 | | 31,000 |
| 18 | <u>MUS</u> | <u>Montana Tech Campus Expansion and Upgrades</u> | | |
| 19 | | <u>2,543,693</u> | | <u>2,543,693</u> |
| 20 | Funds for operations and maintenance are provided upon completion of the transfer of the facility from | | | |
| 21 | federal to state ownership. The department of administration may utilize the FMS #3 to construct either or both | | | |
| 22 | the capital projects DMA DES State Emergency Coordination Center Expansion and DMA DES State Disaster | | | |
| 23 | Warehouse in Section 3, Chapter 763, Laws of 2023. If constructed within the FMS #3, the operations and | | | |
| 24 | maintenance funding for either or both the projects in Section 3, Chapter 763, Laws of 2023, shall transfer to | | | |
| 25 | the acquired FMS #3. | | | |
| 26 | DMA | Billings Readiness Center and Innovation Campus (BRIC) | | |
| 27 | | 98,500 (General Fund) | 98,500 (Federal Special Revenue) | 197,000 (Total) |
| 28 | 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, ~~740-720~~ Madison Avenue

270,250 (General Fund)

270,250 (Total)

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) (7)(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) (7)(b)~~.

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

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

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

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

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

(b) Based upon project type or location, the department may combine or bundle the procurement of design services, bidding, and construction contracting for the purposes of efficiently implementing capital

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projects in either [section 2] or [section 3] or both.

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

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

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

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

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

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 | |
| FWP Statewide Administrative Facilities Major Maintenance | | | | |
| | 2,800,000 | | | 2,800,000 |

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| | | | | |
|----|-----|--|----------------------|--------------------|
| 1 | FWP | Fishing Access Site Major Maintenance | | |
| 2 | | | 1,590,000 | 1,590,000 |
| 3 | FWP | Statewide Hatchery Maintenance and Repairs | | |
| 4 | | | 2,500,000 | 2,500,000 |
| 5 | FWP | Fishing Access Site Noxious Weed Control | | |
| 6 | | | 250,000 | 250,000 |
| 7 | FWP | Wildlife Management Area Maintenance | | |
| 8 | | | 3,380,000 | 3,380,000 |
| 9 | FWP | State Parks Major Maintenance | | |
| 10 | | | 4,500,000 | 4,500,000 |
| 11 | FWP | State Parks Noxious Weed Control | | |
| 12 | | | 250,000 | 250,000 |
| 13 | FWP | Statewide Wildlife Habitat Management Areas Improvements | | |
| 14 | | | 680,000 | 680,000 |
| 15 | FWP | Future Fisheries | | |
| 16 | | | 2,000,000 | 2,000,000 |
| 17 | FWP | Contract Programs | | |
| 18 | | | 2,250,000 | 2,250,000 |
| 19 | FWP | Fish Connectivity | | |
| 20 | | | 1,635,000 | 1,775,000 |
| 21 | FWP | Lewis and Clark Caverns State Park Water System | | |
| 22 | | | 692,500 | 692,500 |
| 23 | FWP | Community Fishing Ponds | | |
| 24 | | | 200,000 | 200,000 |
| 25 | FWP | Parks and Outdoor Recreation Site Development and Upgrades | | |
| 26 | | | 2,300,000 | 510,000 |
| 27 | | | 4,509,680 | 510,000 |

2,810,000

5,019,680

For the Judith Landing Site, noxious weed control must be performed with a portion of the funds

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1 appropriated for the location.

2 FWP Upland Game Bird Enhancement Program

3 2,000,000 2,000,000

4 FWP Dam Maintenance

5 90,000 90,000

6 FWP Region 5 HQ Pemberton Lane Improvements

7 255,000 255,000

8 FWP Grants Programs

9 5,800,000 7,900,000 13,700,000

10 FWP Bannack State Park Historic Preservation

11 250,000 250,000

12 FWP Forest Management Program

13 250,000 250,000

14 FWP Tongue/Yellowstone/Mugli Fishery Infrastructure Improvements

15 1,430,000 1,430,000

16 (2) Authority is granted to the Montana university system for the purpose of making capital
17 improvements to campus facilities statewide. Authority-only funds may include donations, grants, auxiliary
18 funds, proprietary funds, nonstate funds, and university funds. Use of authority-only funds may be allocated at
19 not more than \$2,500,000 per project and are subject to the provisions of 18-2-103. All costs for the operations
20 and maintenance of any improvements constructed under this authorization must be paid by the Montana
21 university system from nonstate sources:

| 22 | Agency/Project LRBP | State | Federal | Authority | Total |
|----|--|---------|---------|------------|------------|
| 23 | Fund | Special | Special | Only | |
| 24 | | Revenue | Revenue | Sources | |
| 25 | General Spending Authority, MUS All Campuses | | | 20,000,000 | 20,000,000 |

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

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| | | | | | | |
|---|--|------|-----------|---------|-----------|-----------|
| 1 | Agency/Project | LRBP | State | Federal | Authority | Total |
| 2 | | Fund | Special | Special | Only | |
| 3 | | | Revenue | Revenue | Sources | |
| 4 | Maintenance, Repair, and Small Projects, Statewide | | | | | |
| 5 | | | 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:

| | | | | | | |
|----|----------------------------|------|---------|-----------|-----------|-----------|
| 10 | Agency/Project | LRBP | State | Federal | Authority | Total |
| 11 | | Fund | Special | Special | Only | |
| 12 | | | Revenue | Revenue | Sources | |
| 13 | 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:

| | | | | | | |
|----|---|------|-----------|---------|-----------|-----------|
| 18 | Agency/Project | LRBP | State | Federal | Authority | Total |
| 19 | | Fund | Special | Special | Only | Revenue |
| 20 | | | Revenue | Revenue | Sources | |
| 21 | <u>Remediation of Leaking Petroleum Tanks</u> | | | | | |
| 22 | | | 2,000,000 | | | 2,000,000 |

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

| | | | | | |
|----|----------------|-------|---------|-----------|-------|
| 28 | Agency/Project | State | Federal | Authority | Total |
|----|----------------|-------|---------|-----------|-------|

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(i) owned or operated by a state agency and for which the operation and maintenance are entirely funded with state special revenue, federal special revenue, or proprietary funds; or

(ii) that supports nonacademic functions of the university system and for which the operation and maintenance are funded from nonstate and nontuition sources.

(7) (a) "Major repair" means:

(i) a renovation, alteration, replacement, or repair project with a total cost of less than \$2.5 million;

(ii) a site or utility improvement with a total cost of less than \$2.5 million; or

(iii) a new facility with a total construction cost of less than \$250,000.

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

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

(i) an addition to an existing building; and

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

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

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

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

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

1 for major repair projects and capital developments, if any, for the agency or institution along with the agency's
2 or institution's 6-year capital development facilities strategic plan. Excluding major repair projects greater than
3 \$2,500,000, the division may not include a capital development project request in the information provided
4 pursuant to 17-7-202(4) without the project also being included in an agency's or institution's 6-year capital
5 development facilities strategic plan, unless approved by the office of budget and program planning. Each
6 agency and institution shall furnish any additional information requested by the division relating to the utilization
7 of or need for major repair projects and capital developments.

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

10 (i) for each state-owned building:

11 (A) identifies its location and total square footage;

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

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

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

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

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

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

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

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

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

27 (e) The division shall provide the statewide facility inventory and condition assessment, including a
28 calculation of the deferred maintenance backlog and overall building deficiency ratio of the long-range building

1 program-eligible buildings, to the office of budget and program planning and the legislative finance committee
2 by September 1 of the year preceding a regular legislative session in an electronic format. The division shall
3 provide a copy of the report to the legislature in accordance with 5-11-210.

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

6 (4) The division shall examine the information furnished by each agency and institution and shall
7 gather whatever additional information is necessary and conduct whatever surveys are necessary in order to
8 provide a factual basis for determining the need for and the feasibility of major repair projects and capital
9 developments. The information compiled by the division shall be submitted to the governor before October 1 of
10 the year preceding a regular legislative session."
11

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

13 **"17-7-210. Required funding for maintenance of newly authorized state buildings.** (1) If
14 construction or acquisition of a new facility requires an immediate or future increase in state funding for
15 program expansion or operations and maintenance, the legislature may not authorize the new facility unless it
16 also appropriates funds for the increase in state funding for program expansion and operations and
17 maintenance.

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

21 (b) When a certificate of occupancy or acquisition for a new facility is received prior to the end of
22 the fiscal year, the amount of the appropriation made pursuant to subsection (1) that reverts to its originating
23 fund is the prorated amount from the beginning of the fiscal year to the date of the receipt of the certificate of
24 occupancy."
25

26 **Section 14.** Section 17-7-223, MCA, is amended to read:

27 **"17-7-223. Major repair -- submission of list to legislature -- priorities.** (1) By November 15 of the
28 year preceding a regular legislative session, the division shall, on behalf of all state agencies, submit a list of

(6) In prioritizing major repair projects, the division shall allocate no more than 20% of the funds that the legislature appropriates for major repair to:

(a) remodeling and aesthetic upgrades to meet programmatic needs; or

(b) construct an addition to an existing building or facility."

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

The portion of section 3(1), Chapter 763, Laws of 2023, appropriating money from the capital development account to the department of administration for the indicated capital project is amended to read:

"DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance

15,903,000

15,903,000

~~Up to \$10,000,000 of funding for the project must be used for rebuilding a water line constructed by the state serving the Montana State Hospital. The department is authorized to contract with Anaconda-Deer Lodge County for this portion of the project at the department's discretion."~~

NEW SECTION. **Section 16. Transfer of funds.** (1) By June 30, 2027, the department of administration shall transfer \$150 million from the general fund to the capital developments long-range building program account established in 17-7-209.

(2) By July 1, 2025, the state treasurer shall transfer \$2,000,000 from the general fund to a state special account within the department of environmental quality for the purpose of leaking petroleum tank remediation.

COORDINATION SECTION. **Section 17. Coordination instruction.** If both ~~[LC0544]~~ House Bill No. 217 and [this act] are passed and approved, then the reference to the department of environmental quality in [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

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[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 -