

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; ALLOWING A COMBINATION OF PREVIOUSLY APPROVED APPROPRIATIONS FOR THE CLAPP BUILDING; AMENDING SECTIONS 17-7-201, 17-7-202, 17-7-210, AND 17-7-223, MCA; AMENDING SECTION 1, CHAPTER 468, LAWS OF 2021, SECTION 9(1), CHAPTER 739, LAWS OF 2023, 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].

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(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).

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

(8) "SBECF" means funds from the state building energy conservation program account in the capital projects fund type which may be utilized on either or both major repair or capital development projects.

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

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1		710,000	710,000
2	DPHHS MMHNCC Additional Security Cameras		
3		300,000	300,000
4	MUS UM-W Selected Fire Alarm Upgrades		
5		500,000	500,000
6	DOC MSP MCE New Emergency Generators		
7		200,000	200,000
8	DOA Aviation Support Facility Shop Building New Fire Suppression System		
9		950,000	950,000
10	MUS UM Montana Tech Campus Heating Plant Boiler System Upgrade		
11		2,400,000	2,400,000
12	DOAg State Grain Lab Heating System Upgrades		
13		150,000	150,000
14	MUS MSU GFC Campus Heating and Domestic Hot Water Upgrades		
15		400,000	400,000
16	DOJ MHP Boulder MHP/IBC Campus Heating System Upgrades		
17		2,350,000	2,350,000
18	MUS UM Helena College Donaldson/Airport Boiler System Replacement		
19		150,000	150,000
20	DOA Original Governor's Mansion Heating and Fire Alarm Systems		
21		300,000	300,000
22	MUS UM-W Swysgood Tech Center HVAC Cooling System Replacement		
23		370,000	370,000
24	DOC Continuation of Xanthopoulos Building Repairs		
25		2,200,000	2,200,000
26	MUS MSU Linfield Hall Roof Replacement		
27		850,000	850,000

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1	DOA	State Print and Mail Building Roof Replacement		
2		825,000		825,000
3	MUS	MSU-N Cowan Hall Exterior Envelope Upgrades		
4		1,725,000		1,725,000
5		DPHHS EMVH Water Infiltration and Exterior Envelope Repairs		
6		1,900,000		1,900,000
7	MUS	MSU-N Automotive Technology Building Roof Replacement		
8		460,000		460,000
9	MUS	UM HC Donaldson Campus Roofing Replacement		
10		2,400,000		2,400,000
11	DOC	MSP MCE Roof Replacements		
12		1,350,000		1,350,000
13	DOA	Aviation Support Fac Hangar Door Reconstruction and Replacement		
14		320,000		320,000
15	MUS	UM Montana Tech Campus-wide Building Electrical System Upgrades		
16		1,300,000		1,300,000
17	MSDB	Completion of Parking Lot Improvements		
18		780,000		780,000
19	MUS	UM-W Selected Sewer Main Repairs and Replacement		
20		690,000		690,000
21	DOC	MWP Completion of Perimeter Security Upgrades		
22		600,000		600,000
23	OPI	Montana Learning Center Site Infrastructure Upgrades		
24		700,000		700,000
25	MUS	UM-W Steam Distribution System Upgrades		
26		475,000		475,000
27	DOC	PHYCF Utility Tunnel and Heating System Repairs		

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1		1,200,000		1,200,000
2	MUS	UM Selected Building Electrical System Upgrades		
3		1,100,000		1,100,000
4	MUS	MSU South Campus Primary Electrical Distribution Upgrades		
5		1,750,000		1,750,000
6	DOC	MSP Gravel Pit Equipment Generator Replacement		
7		180,000		180,000
8	DLI	Kalispell Job Service Renovations		
9		325,000		325,000
10	MUS	UM Selected Elevator System Upgrades		
11		1,675,000		1,675,000
12	MUS	MT Tech Science and Engineering, and ELC Building Elevator Upgrades		
13		400,000		400,000
14	DOL	New Laboratory Casework and Fixed Equipment, Combined Labs Building		
15		1,000,000		1,000,000
16	MSDB	Selected HVAC Systems Upgrades		
17		2,000,000		2,000,000
18	MUS	MSU McCall Hall Demolition		
19		1,100,000	300,000	1,400,000
20	DOA	Capitol Building Interior Lighting Restoration		
21		125,000		125,000
22	DOA	Capitol Complex Restroom Renovations		
23		625,000		625,000
24	DOC	MSP MCE Restroom Repairs		
25		200,000		200,000
26	DOJ	MLEA Air Conditioning Installation		
27		300,000		300,000

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1	MUS	MT Tech Mining and Geology Building Temp Controls System		
2		300,000		300,000
3	DOA	Statewide Facility Condition Assessment Services for Agencies		
4		750,000		750,000
5	DOA	Statewide Selected Feasibility Studies for Agencies		
6		500,000		500,000
7	MUS	<u>MSU REPLACE FAILED DATA CENTER COOLING SYSTEMS</u>		
8		<u>1,000,000</u>	<u>300,000</u>	<u>1,300,000</u>

(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.

(3) The following money is appropriated to the department of military affairs for the indicated major repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization 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				

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1		225,000	225,000
2	DMA FTH Range Operations Center Site Work		
3		380,000	380,000
4	DMA FTH Building 1017 New Shower Rooms		
5		110,000	110,000
6	DMA MTARNG Buildings New PV Solar Arrays and Repairs		
7		690,000	690,000
8	<u>DMA FTH MIST/MINER FACILITY UPGRADE</u>		
9		<u>1,900,000</u>	<u>1,900,000</u>

10 (4) THE DEPARTMENT OF ADMINISTRATION SHALL BUNDLE REQUESTS FOR THE PURCHASE AND
11 INSTALLATION OF THE ELECTRICAL GENERATORS INTO A SINGLE PROJECT FOR BID.

12
13 **NEW SECTION. Section 3. Capital development projects appropriations and authorizations. (1)**

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

18	Agency/Project	LRBP	State	Federal	Authority	Total
19		CD	Special	Special	Only	
20		Fund	Revenue	Revenue	Sources	
21	DOC	MSP Low-Side Housing Expansion				
22		150,000,000				150,000,000

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

26	DOC	MSP Site Infrastructure Upgrades		
27		21,000,000		21,000,000

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

DPHHS MSH Comprehensive Mechanical System Replacement

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

4,750,000	4,750,000
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DPHHS MSH Spratt Building Upgrades for Licensure AND FACILITY FENCES

4,000,000	4,000,000
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14,660,000	14,660,000
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Funding may be redirected by the office of budget and program planning to address other capital project needs at the Montana State Hospital, subject to 17-7-210.

DPHHS MMHNCC UNIT D

REMODEL FOR LICENSURE

<u>700,000</u>	<u>700,000</u>
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MUS UM Selected Classrooms and Teaching Labs Modernization

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

3,000,000	3,000,000
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2,000,000	2,000,000
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DNRC Helena Wildland Firefighter Bunkhouses

3,860,000	3,860,000
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DNRC Libby Wildland Firefighter Bunkhouses and Office Addition

3,600,000	600,000	4,200,000
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DNRC Plains Wildland Firefighter Bunkhouse

1,930,000	1,930,000
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DNRC BUNKHOUSES IN HELENA, LIBBY, AND PLAINS AND OFFICE ADDITION

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1		<u>1,500,000</u>	<u>600,000</u>	<u>2,100,000</u>
2	<u>THE DEPARTMENT OF ADMINISTRATION MAY PRIORITIZE THE FUNDING, DESIGN, AND CONSTRUCTION BETWEEN</u>			
3	<u>EACH OF THE BUNKHOUSES AND OFFICE ADDITIONS AS NECESSARY TO MEET THE INTENT OF [SECTIONS 3(8)(C) AND</u>			
4	<u>3(9)].</u>			
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 <u>DEMOLITION AND NEW CONSTRUCTION</u>			
16		5,120,000		5,120,000
17		4,000,000		4,000,000
18	MUS MSU Lewis Hall New Elevator and ADA Upgrades			
19		4,600,000		4,600,000
20	MUS UM Music Building Renovation			
21		7,250,000	7,250,000	14,500,000
22	DOA 1227 11th Avenue Renovation			
23		3,600,000		3,600,000
24	DOA 1300 11th Avenue Renovation			
25		4,150,000		4,150,000
26	MUS UM Mansfield Library Renovation			
27		9,000,000	9,000,000	18,000,000

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1	MUS	MSU Hamilton Hall 3rd and 4th Floor Renovation		
2		5,230,000		5,230,000
3	DOA	5 South Last Chance Gulch Building Renovation		
4		17,300,000		17,300,000
5	DMA	SMART Deferred Maintenance Program, Statewide		
6		1,500,000	4,500,000	6,000,000
7	DOC	MSP Construction Education Program Building Renovation AND OLD TERRITORIAL PRISON		
8	<u>REPAIR</u>			
9		4,000,000		4,000,000
10		4,200,000		4,200,000
11	DMA	Billings Limited Army Aviation Support Facility, Phase 2		
12		23,100,000		23,100,000
13	DMA	MTANG New Training Drop Zone		
14		1,800,000		1,800,000
15	DOJ	MLEA New Indoor Firing Range		
16		10,000,000		10,000,000
17	DMA	MT State Veterans' Cemetery, New Interment Processing Center		
18		1,925,000		1,925,000
19		600,000		600,000
20	FWP	Central Services Site Upgrades Phase 2		
21		13,350,000		13,350,000
22	FWP	Central Services Site Upgrades Phase 3		
23		16,680,000		16,680,000
24	FWP	Region 5 Cooney State Park Storage Building		
25		220,000		220,000
26	FWP	Region 5 Deadman's Basin FAS Storage Building		
27		340,000		340,000

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1	<u>FWP STATE PARK STORAGE BUILDING AT COONEY PARK AND DEADMAN BASIN FAS</u>		
2		<u>375,000</u>	<u>375,000</u>
3	<u>THE DEPARTMENT OF ADMINISTRATION MAY PRIORITIZE THE FUNDING, DESIGN, AND CONSTRUCTION BETWEEN</u>		
4	<u>EACH OF THE STORAGE BUILDINGS AS NECESSARY TO MEET THE INTENT OF [SECTIONS 3(8)(C) AND 3(10)].</u>		
5	MDT <u>Three Forks Equipment Storage Building</u>		
6		<u>3,000,000</u>	<u>3,000,000</u>
7	MDT <u>Wolf Creek Equipment Storage Building</u>		
8		<u>2,400,000</u>	<u>2,400,000</u>
9	MDT <u>Lodge Grass Equipment Storage Building</u>		
10		<u>2,400,000</u>	<u>2,400,000</u>
11	MDT <u>Conrad Equipment Storage Building</u>		
12		<u>3,500,000</u>	<u>3,500,000</u>
13	MDT <u>Miles City Equipment Storage Building</u>		
14		<u>4,200,000</u>	<u>4,200,000</u>
15	<u>MDT</u> <u>EQUIPMENT STORAGE BUILDINGS AT THREE FORKS, WOLF CREEK, LODGE GRASS, CONRAD, AND</u>		
16	<u>MILES CITY</u>		
17		<u>5,300,000</u>	<u>5,300,000</u>
18	<u>THE DEPARTMENT OF ADMINISTRATION MAY PRIORITIZE THE FUNDING, DESIGN, AND CONSTRUCTION BETWEEN</u>		
19	<u>EACH OF THE EQUIPMENT STORAGE BUILDINGS AS NECESSARY TO MEET THE INTENT OF [SECTIONS 3(8)(C) AND 3(11)].</u>		
20	<u>MDT</u> <u>PURCHASE OF EQUIPMENT REPAIR SHOP AND PROPERTY</u>		
21		<u>8,500,000</u>	<u>8,500,000</u>
22	MUS MSUB New Art Building		
23		13,400,000	13,400,000
24	MUS UM New Bandy Ranch Field Research Housing		
25		2,000,000	2,000,000
26	MUS UM Bio Research Building Addition		
27		8,000,000	8,000,000

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1	MUS	MSU Instructional Space Modernization				
2			4,000,000	4,000,000		
3	MUS	UM Law School Interior Remodel				
4			3,000,000	3,000,000		
5	MUS	UM McGill Hall Addition				
6			2,000,000	2,000,000		
7			3,000,000	3,000,000		
8		Authority-only increase is provided for the project in Section 3, Chapter 763, Laws of 2023.				
9	MUS	MSU Nopper Building Purchase				
10			6,500,000	6,500,000		
11	MUS	UM Undergraduate Research Lab Upgrades and Improvements				
12			10,000,000	10,000,000		
13	MUS	UM South Campus Tennis Court Complex				
14			8,300,000	8,300,000		
15	MUS	MSU Visual Communications Building Classroom Addition				
16			2,500,000	2,500,000		
17			11,500,000	11,500,000		
18		Authority-only increase is provided for the project in Section 2, Chapter 422, Laws of 2019, and Section				
19		3, Chapter 763, Laws of 2023.				
20	<u>MUS</u>	<u>WOMEN'S SOCCER LOCKER ROOM REMODEL AND LIGHTING</u>				
21			400,000	400,000		
22	<u>MUS</u>	<u>MONTANA TECH CAMPUS EXPANSION AND UPGRADES</u>	50,000,000	50,000,000		
23	(2)	The following money is appropriated to the department of military affairs for the indicated				
24		capital development projects from the indicated sources. Funds not requiring legislative appropriation are				
25		included for the purpose of authorization and are subject to the provisions of 18-2-103.				
26	Agency/Project	LRBP	State	Federal	Authority	Total
27		CD	Special	Special	Only	

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1	Fund	Revenue	Revenue	Sources
2	DMA	Fort Harrison Open Bay Barracks		
3			18,120,000	18,120,000
4			10,500,000	10,500,000

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

8	DMA	Fort Harrison Vehicle Paint Shop Construction		
9			6,960,000	6,960,000
10			4,000,000	4,000,000
11	DMA	MTARNG Vehicle Maintenance Shop Construction		
12			40,600,000	40,600,000
13			20,000,000	20,000,000
14	DMA	Limestone Hills Target Storage Building Replacement		
15			385,000	385,000
16			60,000	60,000
17	DMA	Veterans' Cemetery Expansions, Statewide		
18			1,000,000	1,000,000
19	DMA	CAPITAL RESERVE FUND	31,505,000	31,505,000

20 (3) (A) THE CAPITAL RESERVE FUND MAY BE USED BY THE DEPARTMENT OF MILITARY AFFAIRS TO FUND
21 PROJECTS IN [SECTION 3] SUBSEQUENTLY IDENTIFIED AFTER THE PASSAGE OF [THIS ACT].

22 (B) A PROJECT MUST BE PREPARED THAT DESCRIBES EACH TASK TO BE COMPLETED WITH A BUDGET FOR
23 EACH PROPOSED PROJECT. THE PROJECT DESCRIPTION MUST BE SUBMITTED BY THE DEPARTMENT OF MILITARY AFFAIRS
24 THROUGH THE DEPARTMENT OF ADMINISTRATION TO THE GENERAL GOVERNMENT BUDGET COMMITTEE AND THE LONG-
25 RANGE PLANNING BUDGET COMMITTEE. AFTER THE PROJECT DESCRIPTION HAS BEEN SUBMITTED TO THOSE
26 COMMITTEES, THE BUDGET DIRECTOR MAY APPROVE, MODIFY, OR DENY THE PROPOSED PROJECT.

27 (3)(4) (a) The following money is appropriated to the office of budget and program planning for the

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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:

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

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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:

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

(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 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)(E), 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:

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1	Agency/Project	General	State	Federal	Authority	Total
2		Fund	Special	Special	Only	
3			Revenue	Revenue	Sources	
4	DOC	MSP Low Side Housing Expansion				
5		1,300,000				1,300,000
6	DNRC	Missoula New Forestry and Trust Lands Office Building				
7			50,876			50,876
8	DNRC	Helena Wildland Firefighter Bunkhouses				
9			66,360			66,360
10	DNRC	Libby Wildland Firefighter Bunkhouses and Office Addition				
11			33,180			33,180
12	DNRC	Plains Wildland Firefighter Bunkhouse				
13			33,180			33,180
14	MUS	MSU Lewis Hall New Elevator and ADA Upgrades				
15		37,800				37,800
16	DOA	5 South Last Chance Gulch Building Renovation				
17		173,550				173,550
18	DMA	Billings Limited Army Aviation Support Facility, Phase 2				
19			107,400			107,400
20				107,400		107,400
21	DOJ	MLEA New Indoor Firing Range				
22				150,000		150,000
23			150,000			150,000
24	DMA	MT State Veterans' Cemetery, New Interment Processing Center				
25		9,625				9,625
26	FWP	Central Services Site Upgrades Phase 2				
27			133,468			133,468

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1	FWP	Central Services Site Upgrades Phase 3		
2			208,545	208,545
3	FWP	Region 5 Cooney State Park Storage Building		
4			2,778	2,778
5	FWP	Region 5 Deadman's Basin FAS Storage Building		
6			4,250	4,250
7	MDT	Three Forks Equipment Storage Building		
8			48,150	48,150
9	MDT	Wolf Creek Equipment Storage Building		
10			33,400	33,400
11	MDT	Lodge Grass Equipment Storage Building		
12			33,400	33,400
13	MDT	Conrad Equipment Storage Building		
14			41,650	41,650
15	MDT	Miles City Equipment Storage Building		
16			44,750	44,750
17	MUS	MSUB New Art Building		
18			257,680	257,680
19	MUS	UM New Bandy Ranch Field Research Housing		
20			108,705	108,705
21	MUS	UM Bio Research Building Addition		
22			246,050	246,050
23	MUS	UM McGill Hall Addition		
24			71,968	71,968
25	MUS	MSU Nopper Building Purchase		
26			1,252,186	1,252,186
27	MUS	UM South Campus Tennis Court Complex		

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1			359,086	359,086
2	MUS	MSU Visual Communications Building Classroom Addition		
3		59,286		59,286
4		59,286	140,403	199,689
5	DMA	Fort Harrison Open Bay Barracks		
6			204,800	204,800
7	DMA	Fort Harrison Vehicle Paint Shop Construction		
8			42,100	42,100
9	DMA	MTARNG Vehicle Maintenance Shop Construction		
10			134,800	134,800
11	DMA	Fort Harrison Facility Maintenance Shop #3 (FMS #3) Acquisition		
12		31,000		31,000
13	MUS	<u>MONTANA TECH CAMPUS EXPANSION AND UPGRADES</u>		
14		2,543,693		2,543,693

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

21	DMA	Billings Readiness Center and Innovation Campus (BRIC)		
22		98,500 (General Fund)	98,500 (Federal Special Revenue)	197,000 (Total)

23 Funds for operations and maintenance are provided for the project in Section 3, Chapter 763, Laws of
24 2023, and are contingent on the sale of the existing Billings Armed Forces Reserve Center (BAFRC). After the
25 sale, operations and maintenance funding currently appropriated to the department of military affairs for the
26 existing Billings Armed Forces Reserve Center shall then be added to and utilized for the new Billings
27 Readiness Center operations and maintenance.

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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) SUBJECT TO SUBSECTION (7)(E), THE FOLLOWING MONEY IS APPROPRIATED FOR FISCAL YEAR 2027 TO THE INDICATED AGENCY FROM THE INDICATED SOURCES FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE FOR THE INDICATED NEW FACILITY:

<u>AGENCY/PROJECT</u>	<u>GENERAL</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>SOURCES</u>	
<u>DOC MSP LOW-SIDE HOUSING EXPANSION</u>					
	6,950,000				6,950,000

(e)(D) 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)(E) Appropriations in ~~subsection~~ SUBSECTIONS (6)(b) (7)(B) AND (7)(C) are contingent on the passage and approval of a bill that includes an appropriation for the construction of the indicated projects in ~~subsection~~ SUBSECTIONS (6)(b) (7)(B) AND (7)(C).

(F) 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

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- 1 EXPANSION, DOC MSP SITE INFRASTRUCTURE UPGRADES, DOC MSP COMPREHENSIVE MECHANICAL SYSTEM
2 REPLACEMENT, AND THE DOC MSP CONSTRUCTION EDUCATION PROGRAM BUILDING RENOVATION AND OLD
3 TERRITORIAL PRISON REPAIR;
4 (III) REMAINING PROJECTS IN [THIS ACT] AS DETERMINED BY THE DEPARTMENT IN ACCORDANCE WITH 18-2-
5 104 AND TAKING INTO CONSIDERATION PRIOR APPROPRIATED CAPITAL PROJECTS.
6 (B) BASED UPON PROJECT TYPE OR LOCATION, THE DEPARTMENT MAY COMBINE OR BUNDLE THE
7 PROCUREMENT OF DESIGN SERVICES, BIDDING, AND CONSTRUCTION CONTRACTING FOR THE PURPOSES OF EFFICIENTLY
8 IMPLEMENTING CAPITAL PROJECTS IN EITHER [SECTION 2] OR [SECTION 3] OR BOTH.
9 (C) THE DEPARTMENT MAY ALSO EXTEND EXISTING DESIGN, CONSTRUCTION, AND OTHER CONTRACTS FOR
10 CAPITAL PROJECTS IN EITHER [SECTION 2] OR [SECTION 3] OR BOTH AT ITS SOLE DISCRETION, IN ORDER TO EXPEDITE
11 THE IMPLEMENTATION, DESIGN, AND CONSTRUCTION OF CAPITAL PROJECTS IN [THIS ACT].
12 (D) SHOULD FUNDING IN HOUSE BILL 3 BE INSUFFICIENT FOR THE REPLACEMENT OF THE SECURITY DOORS
13 IN THE RHU AND SAU FACILITIES AT THE MONTANA STATE PRISON, THE DEPARTMENT OF ADMINISTRATION IS
14 AUTHORIZED TO ADJUST PRIOR CAPITAL PROJECT APPROPRIATIONS IN HOUSE BILL 817 OF THE 68TH SESSION AND
15 APPROPRIATIONS IN [THIS ACT] FOR THE DEPARTMENT OF CORRECTIONS TO COMPLETE THE REPLACEMENT OF THE
16 SECURITY DOORS.
17 (9) THE DEPARTMENT SHALL DEVELOP STANDARDIZED DESIGNS FOR BUNKHOUSES USED BY ALL STATE
18 AGENCIES DIFFERENTIATED ONLY BY THE NUMBER OF BEDS THEY CONTAIN. ONLY ONE ARCHITECTURAL FEE MAY BE PAID
19 FOR THE BUNKHOUSE DESIGN.
20 (10) THE DEPARTMENT SHALL DEVELOP STANDARDIZED DESIGNS FOR STORAGE SHEDS USED BY ALL
21 STATE AGENCIES DIFFERENTIATED ONLY BY THE SIZE OF THE SHED. ONLY ONE ARCHITECTURAL FEE MAY BE PAID FOR
22 THE STORAGE SHED DESIGN.
23 (11) THE DEPARTMENT SHALL DEVELOP STANDARDIZED DESIGNS FOR DEPARTMENT OF TRANSPORTATION
24 EQUIPMENT STORAGE BUILDINGS DIFFERENTIATED ONLY BY THE NUMBER OF EQUIPMENT BAYS IN THE STRUCTURE.
25 ONLY ONE ARCHITECTURAL FEE MAY BE PAID FOR THE EQUIPMENT STORAGE BUILDING DESIGN.
26 (12) THE ARCHITECTURE AND ENGINEERING DIVISION OF THE DEPARTMENT OF ADMINISTRATION SHALL
27 PROVIDE A WRITTEN REPORT ON THE PROGRESS IN IMPLEMENTING THE PROJECTS IDENTIFIED AS PRIORITY PROJECTS IN

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1 SUBSECTIONS (8)(A)(I) AND (8)(A)(II) AND THE WORK DONE TO IMPLEMENT PROJECTS IN SUBSECTION (8)(A)(III) 5 DAYS
2 PRIOR TO A MEETING OF THE FOLLOWING COMMITTEES:

3 (A) THE LEGISLATIVE FINANCE COMMITTEE; AND

4 (B) THE LONG-RANGE PLANNING BUDGET COMMITTEE.

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

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only Source	Total
FWP Statewide Administrative Facilities Major Maintenance	2,800,000			2,800,000
FWP Fishing Access Site Major Maintenance	1,590,000			1,590,000
FWP Statewide Hatchery Maintenance and Repairs	2,500,000			2,500,000
FWP Fishing Access Site Noxious Weed Control	250,000			250,000
FWP Wildlife Management Area Maintenance	3,380,000			3,380,000
FWP State Parks Major Maintenance	4,500,000			4,500,000
FWP State Parks Noxious Weed Control	250,000			250,000

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1	FWP	Statewide Wildlife Habitat Management Areas Improvements			
2			680,000		680,000
3	FWP	Future Fisheries			
4			2,000,000		2,000,000
5	FWP	Contract Programs			
6			2,250,000		2,250,000
7	FWP	Fish Connectivity			
8			1,635,000	1,775,000	3,410,000
9	FWP	Lewis and Clark Caverns State Park Water System			
10			692,500	692,500	1,385,000
11	FWP	Community Fishing Ponds			
12			200,000		200,000
13	FWP	Parks and Outdoor Recreation Site Development and Upgrades			
14			2,300,000	510,000	2,810,000
15			4,509,680	510,000	5,019,680
16	<u>FOR THE JUDITH LANDING SITE, NOXIOUS WEED CONTROL MUST BE PERFORMED WITH A PORTION OF THE</u>				
17	<u>FUNDS APPROPRIATED FOR THE LOCATION.</u>				
18	FWP	Upland Game Bird Enhancement Program			
19			2,000,000		2,000,000
20	FWP	Dam Maintenance			
21			90,000		90,000
22	FWP	Region 5 HQ Pemberton Lane Improvements			
23			255,000		255,000
24	FWP	Grants Programs			
25			5,800,000	7,900,000	13,700,000
26	FWP	Bannack State Park Historic Preservation			
27			250,000		250,000

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1	FWP	Forest Management Program		
2		250,000		250,000
3	FWP	Tongue/Yellowstone/Muggli Fishery Infrastructure Improvements		
4		1,430,000		1,430,000

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

11	Agency/Project	LRBP	State	Federal	Authority	Total
12		Fund	Special	Special	Only	
13			Revenue	Revenue	Sources	
14	General Spending Authority, MUS All Campuses				20,000,000	20,000,000

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

18	Agency/Project	LRBP	State	Federal	Authority	Total
19		Fund	Special	Special	Only	
20			Revenue	Revenue	Sources	
21	Maintenance, Repair, and Small Projects, Statewide					
22			3,000,000			3,000,000

23 (4) The following money is appropriated to the department of military affairs in the indicated
24 amount for the purpose of making capital improvements to statewide facilities. The capital improvements are
25 subject to the provisions of 18-2-103. All costs for the operation and maintenance of any improvements
26 constructed with these funds must be paid by the department of military affairs from nonstate sources:

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

4 (5) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN THE

5 INDICATED AMOUNT FOR THE PURPOSE OF LEAKING PETROLEUM TANK REMEDIATION TO ADDRESS RISKS TO HUMAN

6 HEALTH OR THE ENVIRONMENT AT PETROLEUM SITES WHERE THERE IS NO READILY APPARENT POTENTIALLY LIABLE

7 PERSON OR ENTITY THAT IS FINANCIALLY VIABLE:

8	AGENCY/PROJECT	LRBP	STATE	FEDERAL	AUTHORITY	TOTAL
9		FUND	SPECIAL	SPECIAL	ONLY	REVENUE
10			REVENUE	REVENUE	SOURCES	
11	REMEDICATION OF LEAKING PETROLEUM TANKS					
12			2,000,000			2,000,000

14 NEW SECTION. Section 5. Land acquisition appropriations. The following money is appropriated

15 to the department of fish, wildlife, and parks in the indicated amounts for the purposes of land acquisition, land

16 leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is

17 authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

18	Agency/Project	State	Federal	Authority	Total
19		Special	Special	Only	
20		Revenue	Revenue	Sources	
21	FWP Habitat Montana				
22		12,000,000			12,000,000
23	FWP Fishing Access Site Acquisition				
24		500,000			500,000
25	FWP Habitat Montana -- Enhanced 701 Funding				
26		18,000,000			18,000,000

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

5
6 NEW SECTION. Section 7. Capital projects -- contingent funds. (1) If a capital project is financed,
7 in whole or in part, with appropriations contingent on the receipt of other funding sources, the department of
8 administration may not let the project for bid until a financial plan and agreement with the agency has been
9 approved by the director of the department of administration. A financial plan and agreement may not be
10 approved by the director if:

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

13 (b) the scope of the project is substantially altered or revised from the concept and intent for that
14 project as presented to the 69th legislature.

15 (2) For any capital project financed, in whole or in part, with appropriations contingent on the
16 receipt of other funding sources in this biennium and any prior biennium, the agency, including the university
17 system, for which the capital project is for must submit a report through the department of administration
18 architecture and engineering division to the Joint Appropriations Subcommittee for Long-Range Planning
19 indicating the status of the other sources of funding, how much funding has been received, projections of when
20 the funding is anticipated to be received, or if the project should be canceled. A report must be provided to the
21 subcommittee during every regular session of the legislature until a project begins construction or is canceled
22 by the legislature.

23 (3) This section does not limit or restrict the application of 17-7-211.

24
25 NEW SECTION. Section 8. Review by department of environmental quality. The department of
26 environmental quality shall review capital projects authorized in either or both [sections 2 and 3] for potential
27 inclusion in the state building energy conservation program (SBECP) under Title 90, chapter 4, part 6. When a

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1 review shows that a capital project will result in energy or utility savings and improvements, that project must be
2 submitted to the energy conservation program for funding consideration by the SBECF. Funding provided
3 under the energy conservation program guidelines must be used to offset or add to the authorized funding for
4 the project, and the amount will be dependent on the annual utility savings resulting from the capital project.
5 Agencies must be notified of potential funding after the review and are obligated to utilize the SBECF funding, if
6 available, on the terms and conditions specified by the department.

7
8 **NEW SECTION. Section 9. Legislative intent.** The appropriations authorized in [sections 2 through
9 5] constitute legislative consent for the capital projects contained in [sections 2 through 5] within the meaning of
10 17-7-201 and 18-2-102.

11
12 **NEW SECTION. Section 10. Increase in state funding for program expansion or operations and**
13 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and
14 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 69th
15 legislature, that new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

16
17 **Section 11.** Section 17-7-201, MCA, is amended to read:

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

19 (1) (a) "Building" includes a:
20 (i) building, facility, or structure constructed or purchased wholly or in part with state money;
21 (ii) building, facility, or structure at a state institution;
22 (iii) building, facility, or structure owned or to be owned by a state agency, including the department
23 of transportation.

24 (b) The term does not include a:
25 (i) building, facility, or structure owned or to be owned by a county, city, town, school district, or
26 special improvement district;
27 (ii) facility or structure used as a component part of a highway or water conservation project.

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

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(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 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

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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

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1 value of ~~\$150,000~~ \$300,000 or less in the facility inventory and condition assessment.

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

7

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

9 **"17-7-210. Required funding for maintenance of newly authorized state buildings.** (1) If
10 construction or acquisition of a new facility requires an immediate or future increase in state funding for
11 program expansion or operations and maintenance, the legislature may not authorize the new facility unless it
12 also appropriates funds for the increase in state funding for program expansion and operations and
13 maintenance.

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

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

21

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

23 **"17-7-223. Major repair -- submission of list to legislature -- priorities.** (1) By November 15 of the
24 year preceding a regular legislative session, the division shall, on behalf of all state agencies, submit a list of
25 anticipated major repair projects to the governor. The governor shall review the list of anticipated long-range
26 building program-eligible major repair projects recommended by the division and submit it to the legislature.

27 (2) The division shall ensure that the list identifies:

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- 1 (a) single projects that cost more than ~~\$150,000~~ \$300,000;
- 2 (b) multiple projects within a single building or facility that collectively cost more than \$150,000
- 3 \$300,000; and
- 4 (c) single projects that will be constructed in phases with an aggregate cost of more than \$150,000
- 5 \$300,000.
- 6 (3) Unless otherwise directed by the legislature, the division shall execute major repair projects
- 7 from the prioritized list submitted to the legislature up to the level of appropriation made by the legislature.
- 8 (4) In prioritizing major repair projects, the division shall consider the results of the statewide
- 9 facility inventory and condition assessment prepared pursuant to 17-7-202.
- 10 (5) In prioritizing major repair projects, the division shall allocate at least 80% of the funds that the
- 11 legislature appropriates for major repair to:
- 12 (a) projects that address:
- 13 (i) any issue that impacts health and safety;
- 14 (ii) failing building envelopes;
- 15 (iii) structural deficiencies;
- 16 (iv) energy, utility, or water savings;
- 17 (b) projects that upgrade, repair, or replace:
- 18 (i) mechanical, plumbing, or control systems;
- 19 (ii) electrical systems;
- 20 (iii) fixed equipment;
- 21 (iv) an essential building component; or
- 22 (v) infrastructure, including a utility tunnel, water line, gas line, sewer line, roof, parking lot, or road;
- 23 or
- 24 (c) projects that demolish and replace an existing building or facility that is in extensive disrepair
- 25 and cannot be fixed by repair or maintenance.
- 26 (6) In prioritizing major repair projects, the division shall allocate no more than 20% of the funds
- 27 that the legislature appropriates for major repair to:

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(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 MILLION FROM THE GENERAL FUND TO A STATE SPECIAL ACCOUNT WITHIN THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF LEAKING PETROLEUM TANK REMEDIATION.

NEW SECTION. SECTION 17. TRANSFER OF FUNDS -- PLAN AND REPORTING. (1) BY JUNE 30, 2026, THE STATE TREASURER SHALL TRANSFER \$26.5 MILLION FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT ESTABLISHED IN 17-7-209 TO THE BOARD OF INVESTMENTS FOR THE PURPOSES OF BUILDING A BEHAVIORAL HEALTH FACILITY.

(2) PRIOR TO THE TRANSFER IN SUBSECTION (1) TAKING PLACE, THE BUDGET DIRECTOR SHALL ADOPT A PLAN FROM THE BOARD OF INVESTMENTS AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES ON THE FACILITY TYPE AND LOCATION. THE BOARD OF INVESTMENTS AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES SHALL REPORT TO THE HEALTH AND HUMAN SERVICES INTERIM BUDGET COMMITTEE ESTABLISHED IN 5-12-501

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1 ON THE PROGRESS OF CHOOSING THE FACILITY TYPE AND LOCATION. ONCE A PLAN IS ADOPTED BY THE BUDGET
2 DIRECTOR, THE BOARD OF INVESTMENTS AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES SHALL
3 PROVIDE A PROGRESS REPORT AT EACH SUBSEQUENT MEETING OF THE HEALTH AND HUMAN SERVICES INTERIM BUDGET
4 COMMITTEE AND EACH SUBSEQUENT MEETING OF THE LONG-RANGE PLANNING BUDGET COMMITTEE THAT ARE HELD
5 PRIOR TO DECEMBER 31, 2026.

6 (3) ANY UNSPENT FUNDS MUST REVERT TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING
7 PROGRAM ACCOUNT.

8
9 COORDINATION SECTION. Section 18. Coordination instruction. If both [~~LC0544~~] HOUSE BILL No.
10 217 and [this act] are passed and approved, then the reference to the department of environmental quality in
11 [section 8 of this act] must be changed to "the department of administration architecture and engineering
12 division".

13
14 SECTION 19. SECTION 14(1), CHAPTER 762, LAWS OF 2023, IS AMENDED TO READ:

15 "Section 14. Appropriations. (1) There is appropriated ~~\$12.5~~ \$15 million from the account
16 established in [section 11] to the legislative branch for the biennium beginning July 1, 2023, for the purposes
17 set forth in subsections (2) and (3). This appropriation is reappropriated for the purposes of the original
18 appropriation until the funds are fully expended."

19
20 SECTION 20. SECTION 9(1), CHAPTER 739, LAWS OF 2023, IS AMENDED TO READ:

21 "Section 9. Appropriations for capital projects. (1) After the administrative rules have been
22 adopted under [section 4] and only after the commission transmits its summary report on its recommendations
23 to the governor after following the process set forth in [section 2], there is appropriated ~~\$55~~ \$28.5 million to the
24 department of administration from the capital developments long-range building program account in the capital
25 projects fund type provided for in 17-7-209 for the behavioral health system for future generations capital
26 development."

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NEW SECTION. SECTION 21. OPERATIONS AND MAINTENANCE APPROPRIATION. (1) THE AMOUNT OF \$10 MILLION IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE FISCAL YEAR BEGINNING JULY 1, 2026, FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE FOR THE INDICATED NEW SETTING.

(2) IT IS THE INTENT OF THE LEGISLATURE THAT THE APPROPRIATION IN SUBSECTION (1) BECOME PART OF THE BASE BUDGET FOR THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES FOR THE BIENNIUM BEGINNING JULY 1, 2027.

Section 22. Section 1, Chapter 468, Laws of 2021, is amended to read:

The portion of section 1, Chapter 468, Laws of 2021, appropriating money from the capital development account to the department of administration for the indicated capital project is amended to read:

"MONTANA UNIVERSITY SYSTEM

~~UM Forestry Conservation & Science Lab~~

25,000,000	20,000,000	45,000,000"
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Section 23. 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:

"MUS UM Clapp Building ~~Renovation~~ Replacement

27,000,000	10,000,000	37,000,000
------------	------------	------------

52,000,000	20,000,000	72,000,000"
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NEW SECTION. SECTION 24. Combination of capital development appropriations. (1) The architecture and engineering division of the department of administration shall combine the UM Forestry Conservation & Science Lab capital project previously authorized in section 1, Chapter 468, Laws of 2021, with the Clapp Building Replacement capital project, previously authorized in section 3, Chapter 763, Laws of 2023. The combined appropriation must result in a single facility of not more than the gross square footage of the

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existing Clapp Building on the same site and may not expand existing programs into other UM facilities or result in any new programs.

(2) The architecture and engineering division of the department of administration may reutilize portions of the existing Clapp Building, including the basement, foundation, and utility systems, or other portions of the existing building, based on analysis of the existing facility taking into consideration existing asbestos containing materials, seismic and structural conditions, mechanical and electrical or plumbing systems, energy efficiency, functionality, UM program needs, and long-term operational and maintenance costs.

NEW SECTION. Section 25. 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 26. Effective date. [This act] is effective on passage and approval.

- END -