

# Amendment - 1st Reading-white - (H) Appropriations

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0839.001.001

## HOUSE BILL NO. 839

INTRODUCED BY K. SEEKINS-CROWE, S. KERNS, S. GIST, G. NIKOLAKAKOS, L. SHELDON-GALLOWAY,  
S. GALLOWAY, B. BARKER, J. KASSMIER, N. HASTINGS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A CAPITAL PROJECT; AUTHORIZING THE  
CONSTRUCTION OF THE MONTANA PUBLIC SAFETY DEVELOPMENT CENTER; PROVIDING  
APPROPRIATIONS FOR THE CAPITAL PROJECT AND OPERATIONS AND MAINTENANCE OF THE  
FACILITY; ESTABLISHING A STATE SPECIAL REVENUE ACCOUNT; PROVIDING FOR OTHER MATTERS  
RELATED TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE  
GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT;  
PROVIDING DEFINITIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Definitions.** As used in [this act], unless the context clearly indicates  
otherwise, the following definitions apply:

- (1) "Capital development" means capital projects provided for in 17-7-201(2).
- (2) "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 6].
- (3) "MPSDC" means the Montana public safety development center.
- (4) "Committee" means the steering committee that decides the priorities of the MPSDC  
development, services, and operations. The committee will be made up of a representative from each of the  
following:
  - (a) Montana fire chiefs association;
  - (b) Montana sheriffs and peace officers association;
  - (c) department of military affairs, division of disaster and emergency services, who serves as the  
committee chair;
  - (d) county attorney office; and

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(e) Montana refinery representative.

**NEW SECTION. Section 2. Purpose of Montana public safety development center.** The purpose of the MPSDC is to provide a center dedicated to providing classroom education and tactical training for Montana's public safety organizations and ensure exceptional public safety services to Montana's communities by including the following elements:

(1) academic building used for classes, seminars, and meetings;

(2) dormitory rooms to reduce public safety organizations' costs associated with travel;

(3) tactical village equipped for public safety professionals to directly apply training, both separately and combined;

(4) accessibility and ability for various disciplines of public safety to receive classroom instruction and tactical implementation of that instruction together at a single location; and

(5) opportunity for increased public safety workforce recruitment by providing location for internship hours for students.

**NEW SECTION. Section 3. Montana public safety development center state special revenue account.** (1) There is a Montana public safety development center account in the state special revenue fund to be administered by the department of military affairs.

(2) The purpose of the account is to provide funding for sustainment of the MPSDC.

(3) There must be deposited in the account:

(a) any revenue generated by use of the facility, including:

(i) classroom rental;

(ii) property rental;

(iii) site training packages; and

(iv) MPSDC memberships;

(b) any legislative appropriations for operations and maintenance; and

(c) gifts, grants, or donations for the purpose of supporting the MPSDC.

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## NEW SECTION. Section 4. Capital development project appropriations and authorization. (1)

There is appropriated to the department of administration \$25 million for the Montana public safety development center from the capital developments long-range building program account established in 17-7-209.

(2) (a) The department of military affairs is authorized to enter into a long-term land lease with the city of Great Falls for the purposes of the capital project.

(b) The facility, inclusive of all real property and site improvements within the land lease boundary, must be the property of the state.

(c) The land lease may not require the state to sell or remove the facility, any real property, or improvements, unless agreed to by the state at its sole discretion. This restriction shall survive any sale of the land and all costs for removal of the facility, or any real property or improvements, shall be the sole responsibility of the landowner. The state shall have right of first refusal if the land is offered for sale by the city of Great Falls.

(d) Should the state elect at any time to sell the facility and any real property or improvements, the provision in subsection (2)(c) is void.

(e) Any costs for a land lease or operations and maintenance may not be provided from the capital project appropriation.

(3) (a) Pursuant to 17-7-210, if construction 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 (3) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-304.

(b) It is the legislature's intent that the appropriations in this subsection (3) become part of the department of military affairs' base budget for the biennium beginning July 1, ~~2025~~ 2023.

(c) There is appropriated \$360,000 from the general fund and \$400,000 from the state special revenue account established in [section 3] for the biennium beginning July 1, ~~2025~~ 2023, to the department of military affairs for program expansion or operations and maintenance for the Montana public safety

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1 development center.

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3 NEW SECTION. Section 5. Legislative consent. The appropriation authorized in [section 4]

4 constitutes legislative consent for the Montana public safety development center within the meaning of 18-2-  
5 102.

6

7 NEW SECTION. Section 6. Increase in state funding for program expansion or operations and  
8 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and  
9 maintenance is required for the Montana public safety development center but the increase is not appropriated  
10 by the 68th legislature, the new facility in ~~[section 2]~~ [section 4] is not appropriated or authorized as provided in  
11 17-7-210.

12

13 NEW SECTION. Section 7. Transfer of funds. By August 15, 2023, the state treasurer shall transfer  
14 \$25 million from the general fund to the capital developments long-range building program account established  
15 in 17-7-209.

16

17 NEW SECTION. Section 8. Severability. If a part of [this act] is invalid, all valid parts that are  
18 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
19 the part remains in effect in all valid applications that are severable from the invalid applications.

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21 NEW SECTION. Section 9. Effective date. [This act] is effective on passage and approval.

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- END -