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HOUSE BILL NO. 5

INTRODUCED BY M. HOPKINS, 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, 2025; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT TO THE MAJOR REPAIR LONG-RANGE BUILDING PROGRAM ACCOUNT AND FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT; PROVIDING FUNDING FOR RATE INCREASES TO ALLOW CONSTRUCTION; AMENDING THE DEFINITION OF AN LRBP-ELIGIBLE BUILDING; PROVIDING FOR AN EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANT PROGRAM AND CRITERIA; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION ~~SECTIONS~~ 15-65-121 AND 17-7-201, ~~AND 75-11-313~~, MCA; AMENDING SECTION 1(4), CHAPTER 468, LAWS OF 2021, AND SECTION 2(1), CHAPTER 461, LAWS OF 2021; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through ~~4011~~], unless the context clearly indicates otherwise, 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" means capital projects provided for 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]~~ [SECTIONS 1 THROUGH 11].

1 (4) "LRBP capital development" means the long-range building program capital developments
2 account in the capital projects fund type provided for in 17-7-209.

3 (5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair
4 account in the capital projects fund type provided for in 17-7-221.

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

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

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

11
12 **NEW SECTION. Section 2. Major repair projects appropriations and authorizations.** (1) The
13 following money is appropriated to the department of administration for the indicated major repair projects from
14 the indicated sources. Funds not requiring legislative appropriation are included for the purpose of
15 authorization. The department of administration is authorized to adjust capital project amounts within the
16 legislative intent of the major repair account-funded projects, subject to available revenues, if approved by the
17 office of budget and program planning, and transfer the appropriations, authority, or both among the necessary
18 fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	MR	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
DPHHS Supplemental MSH Wastewater Treatment					
	1,400,000				1,400,000

24 Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019.

25 DPHHS Supplemental MSH Hospital Roof

	800,000				800,000
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27 Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.

28 DPHHS Supplemental MMHNCC Roof Replacement

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	1,500,000	1,500,000
2	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
3	DOC Supplemental MSP/MWP/PHYCF/Xanthopolous Door Control Systems	
4	450,000	450,000
5	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
6	MSDB Supplemental Mustang Center Fire Sprinkler System	
7	830,854	830,854
8	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
9	MUS UM Supplemental FLBS Sewer Treatment Plant	
10	1,100,000	1,100,000
11	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
12	MUS UM Supplemental Mansfield Library Roof Repair	
13	500,000	500,000
14	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
15	MUS MSU-N Supplemental Vande Bogart Library Roof Replacement	
16	675,000	675,000
17	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
18	DPHHS Supplemental MVH Roof Replacement	
19	1,600,000	1,600,000
20	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment	
21	funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
22	MUS MSU Supplemental Reid Hall Fire System Upgrades	
23	1,000,000	1,000,000
24	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
25	MUS MSU-N Supplemental Brockmann Center HVAC Upgrade	
26	1,907,320	1,907,320
27	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
28	MUS UM Supplemental Clapp Building Elevator	

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	500,000	500,000
2	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
3	MUS UM Supplemental Stone Hall Roof Replacement	
4	800,000	800,000
5	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
6	DNRC Supplemental Swan Lake Office Siding	
7	187,687	187,687
8	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
9	DPHHS Supplemental MVH Courtyard Improvements	
10	517,000	517,000
11	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment	
12	funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
13	DPHHS Supplemental MVH Flooring	
14	367,000	367,000
15	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment	
16	funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
17	DPHHS Supplemental MVH ARPA HVAC	
18	423,039	423,039
19	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment	
20	funding is provided for the project in section 20, Chapter 401, Laws of 2021.	
21	<u>MUS UM-HC SUPPLEMENTAL DONALDSON BUILDING HVAC</u>	
22	<u>1,000,000</u>	<u>1,000,000</u>
23	<u>INFLATIONARY ADJUSTMENT FUNDING IS PROVIDED FOR THE PROJECT IN SECTION 2, CHAPTER 461, LAWS OF</u>	
24	<u>2021.</u>	
25	<u>MUS MSU SUPPLEMENTAL MONTANA HALL FIRE SYSTEM UPGRADES</u>	
26	<u>220,000</u>	<u>220,000</u>
27	DOA Parking Garage Repairs, 5 Last Chance Gulch	
28	1,808,145	1,808,145

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	DOC MSP Red Light/Emergency Notification System		
2		1,000,000	1,000,000
3	DOC MSP Perimeter Fence Enhancement		
4		1,500,000	1,500,000
5	MSDB Campus Security Camera Install		
6		300,000	300,000
7	MUS GFC Fire Suppression System Upgrades		
8		500,000	500,000
9	DLI Billings UI Call Center Repairs		
10		1,000,000	1,000,000
11	DOC Pine Hills Roof Replacement		
12		1,000,000	1,000,000
13	DOC Eastmont HVAC System Repairs/Replacements		
14		200,000	200,000
15	DPHHS MMHNCC Site Improvements & Increase Parking		
16	_____	300,000	300,000
17	DPHHS MMHNCC Key Card Entry System		
18		125,000	125,000
19	DPHHS MMHNCC Backup Water Well		
20	_____	200,000	200,000
21	MSDB Create Bus Loop and Update Parking Lot		
22		349,637	349,637
23	MUS MSU Barnard Hall Failed Chiller Replacement		
24		1,750,000	1,750,000
25	DOC MWP Cooling System Upgrade		
26		750,000	750,000
27	DOJ MLEA Boiler Replacement, Admin Building		
28		830,000	830,000

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	DOA Original Governor's Mansion Repairs		
2		600,000	600,000
3	DOJ MHP Roof Replacements & <u>UPGRADES</u> , Boulder Campus		
4		1,860,000	1,860,000
5	MUS UM Priority 1 Campuswide Roof Replacements		
6		2,425,000	2,425,000
7	DOC Facility-Specific Program & Master Plan		
8		600,000	600,000
9	MUS MSU-B P.E. Building Roof Replacement		
10		2,400,000	2,400,000
11	MUS UMW Repair/Replace Sewer Mains		
12		425,000	425,000
13		<u>125,000</u>	<u>125,000</u>
14	MUS UM Upgrade/Replace Elevators		
15		2,498,650	2,498,650
16	MUS UM FLBS Roof Replacements		
17		262,000	262,000
18	DOC MWP Heating System Upgrade		
19		1,500,000	1,500,000
20	DOJ Missoula Crime Lab Expansion Feasibility Study		
21		75,000	75,000
22	MUS MT Tech Electrical Distribution Upgrades		
23		650,000	650,000
24	MUS MSU-B Campus Water Distribution System Upgrades		
25		2,000,000	400,000
26	MUS MSU Lewis Hall ADA Upgrades		
27		2,400,000	2,400,000
28	Funding must be reallocated by the department to other major repair projects if funding is appropriated		

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	in [section 3] for MUS MSU Lewis Hall Code & Instructional Renovations.		
2	MUS UM Replace Fire Alarms, Clapp Building		
3	780,000		780,000
4	Funding must be reallocated by the department to other major repair projects if funding is appropriated		
5	in [section 3] for MUS UM Clapp Building Renovation.		
6	MUS MSU Tietz Hall Roof Replacement		
7	1,300,000		1,300,000
8	DOC MWP Perimeter Fence/Dog Yard		
9	1,000,000		1,000,000
10	DOC Pine Hills Unit F Sewer Line Replacement		
11	500,000		500,000
12	DOC MSP Unit F Water Supply Upgrade		
13	600,000		600,000
14	DMA Gallatin Readiness Center Roof Replacement		
15	741,455	741,455	1,482,910
16	DOC MSP Site Infrastructure Study		
17	300,000		300,000
18	MUS MSU Cobleigh Hall Parapet Structural Repair		
19	2,400,000		2,400,000
20	MUS MT Tech Restroom Renovations		
21	1,200,000		1,200,000
22	Portions of this funding must be reallocated by the department to other major repair projects if funding		
23	is appropriated in [section 3] for either or both MUS MT Tech Engineering Hall Renovation and MUS MT Tech		
24	Main Hall Renovation.		
25	MUS MSU Campus Heating Plant Boiler Controls Upgrade		
26	1,600,000	800,000	2,400,000
27	MUS MSU Emergency Water System & Fixture Upgrades		
28	2,400,000		2,400,000

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	MUS MT Tech Masonry Repairs	
2	455,000	455,000
3	MUS UMW Elevator Repairs/Replacements	
4	325,000	325,000
5	DNRC Stillwater Unit Shop Replacement	
6	1,214,837	1,214,837
7	MUS MAES WARC Shop Renovation & Safety Upgrades	
8	600,000	600,000
9	DOA Statewide FCA Baseline Assessments	
10	1,500,000	1,500,000
11	MUS MSU-N Campus EMS Building Controls Upgrade Project	
12	400,000	400,000
13	MUS UM Campus Building Envelope Repairs	
14	415,000	415,000
15	MUS UM Replace Electrical Equipment	
16	325,000	325,000
17	MUS MSU-N Electronics Tech. HVAC & Lighting Upgrade	
18	800,000	800,000
19	MUS MAES Lambing Barn Renovation & Safety Upgrades	
20	2,000,000	2,000,000
21	<u>200,000</u>	<u>200,000</u>
22	MUS MSU Hamilton Hall Life-Safety System Improvements	
23	2,400,000	2,400,000
24	MUS MSU-N Pershing Hall Renovation	
25	2,400,000	2,400,000
26	MUS MSU-N Metals Technology Building Roof Project	
27	400,000	400,000
28	MUS MAES BART Demolition Project	

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	<u>450,000</u>		<u>450,000</u>
2	<u>400,000</u>		<u>400,000</u>
3	DOC MSP MCE Industries Repairs		
4		<u>700,000</u>	<u>700,000</u>
5	<u>700,000</u>		<u>700,000</u>
6	DMA Gallatin RC & FMS HVAC & Controls Repairs		
7	320,747	962,241	1,282,988
8	DMA FTH HAFRC Lighting and Control Modifications		
9	26,768	324,947	351,715
10	MUS HC Art Instruction Renovation		
11	<u>162,500</u>		<u>162,500</u>
12	DMA Statewide SMART Deferred Maintenance Program		
13	1,500,000		1,500,000
14	Funding may only be used by the department upon receipt of federal special revenue matching funds.		
15	DOJ MHP Boulder Dorm Renovations		
16	250,000		250,000
17	<u>MDT/FWP CLEARWATER JUNCTION RV DUMP STATION SYSTEM REPAIR AND RENOVATION</u>		
18	<u>1,600,000</u>		<u>1,600,000</u>
19	DOA Boiler & Chiller Replacement - Walt Sullivan		
20	473,707		473,707
21	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
22	DOA Elevator Modifications - Cogswell Building		
23	768,757		768,757
24	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
25	DOA Elevator Modifications - Walt Sullivan Building		
26	379,763		379,763
27	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
28	DOA Roof & Mechanical - DPHHS 111 N. Sanders		

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1 1,309,099 1,309,099

2 State special revenue funds consist of capitol land grant funds provided for in 18-2-107.

3 DOA Roof Replacement - FWP Headquarters

4 289,695 289,695

5 State special revenue funds consist of capitol land grant funds provided for in 18-2-107.

6 DOA STATE OF MONTANA DATA CENTER ROOF REPLACEMENT

7 700,000 700,000

8 STATE SPECIAL REVENUE FUNDS CONSIST OF CAPITOL LAND GRANT FUNDS PROVIDED FOR IN 18-2-107.

9 MUS HC Cosmetology Program Renovation

10 2,495,000 2,495,000

11 DOC MCE Food Factory Emergency Generator

12 100,000 100,000

13 (2) State special revenue fund appropriations to the department of administration from the capitol
 14 land grant fund may be adjusted among the indicated capital projects within the legislative intent, subject to
 15 available revenue, if approved by the office of budget and program planning.

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

19	Agency/Project	LRBP	State	Federal	Authority	Total
20		MR	Special	Special	Only	
21		Fund	Revenue	Revenue	Sources	
22	DMA FTH Aviation Support Facility Energy Improvements					
23				1,067,500		1,067,500
24	DMA FTH Building 1005 Expansion and Compound Upgrades					
25				713,700		713,700
26	DMA FTH Building 530 Compound Improvements					
27				526,125		526,125
28	DMA FTH Crew Proficiency Course Tower Improvements					

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1		396,934	396,934
2	DMA FTH Energy Improvements and Generator Backup		
3		320,250	320,250
4	DMA FTH Facility LED Lighting Retrofit		
5		238,816	238,816
6	DMA FTH Fort Harrison Lighting Upgrades		
7		564,250	564,250
8	DMA FTH Maintenance Shop HVAC & Controls Upgrade		
9		1,486,733	1,486,733
10	DMA FTH Training Equipment Site Retro-Commissioning		
11		569,969	569,969

12 (4) (A) THERE IS APPROPRIATED ~~\$100,000~~ \$30,000 FROM THE GENERAL FUND FOR THE BIENNIUM
 13 BEGINNING JULY 1, 2023, TO THE LEGISLATIVE ~~SERVICES-fiscal~~ DIVISION TO SUPPORT THE ACTIVITIES OF THE SELECT
 14 COMMITTEE ON CORRECTIONS ~~facility~~ CAPACITY AND SYSTEM DEVELOPMENT ESTABLISHED IN SUBSECTION (4)(B).

15 (B) THERE IS A SELECT COMMITTEE ON CORRECTIONS CAPACITY AND SYSTEM DEVELOPMENT. THE
 16 COMMITTEE IS COMPOSED OF ~~six~~ nine MEMBERS:

17 (i) ~~THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE OF~~
 18 REPRESENTATIVES; AND

19 (ii) ~~THREE MEMBERS OF THE SENATE APPOINTED BY THE PRESIDENT OF THE SENATE;~~

20 (i) ~~three members from the judicial branch, law enforcement, and justice interim budget committee~~
 21 appointed by the presiding officer of the legislative finance committee in consultation with the vice presiding
 22 officer of the legislative finance committee;

23 (ii) ~~three members from the long-range planning interim budget committee appointed by the~~
 24 presiding officer of the legislative finance committee in consultation with the vice presiding officer of the
 25 legislative finance committee; and

26 (iii) ~~three members from the law and justice interim committee appointed by the presiding officer of~~
 27 the law and justice interim committee in consultation with the vice presiding officer of the law and justice interim
 28 committee.



1 (C) COMMITTEE MEMBERS ARE ENTITLED TO RECEIVE COMPENSATION AND EXPENSES AS PROVIDED IN 5-2-

2 302.

3 (d) The committee shall meet quarterly in coordination with the legislative finance committee

4 schedule.

5 (E)(e) THE LEGISLATIVE SERVICES DIVISION AND THE LEGISLATIVE FISCAL DIVISION SHALL PROVIDE STAFF

6 ASSISTANCE TO THE COMMITTEE.

7 (E)(f) THE COMMITTEE SHALL FOCUS ON ESTABLISHING AN OVERALL FRAMEWORK and implementation plan

8 FOR LONG-TERM FACILITY NEEDS AND IMMEDIATE IMPROVEMENTS FOR DEPARTMENT OF CORRECTIONS FACILITIES.

9 (F)(g) THE COMMITTEE SHALL PREPARE A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS, AND

10 DRAFT LEGISLATION IF APPROPRIATE. THE COMMITTEE SHALL SUBMIT THE FINAL REPORT TO THE LEGISLATIVE FINANCE

11 COMMITTEE AND THE LAW AND JUSTICE INTERIM COMMITTEE FOR APPROVAL PRIOR TO SUBMISSION TO THE GOVERNOR

12 AND THE 69TH LEGISLATURE.

13

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

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

Agency/Project	LRBP	State	Federal	Authority	Total
	CD	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
Agriculture Supplemental Ag Analytical Lab (combined with Vet Diagnostic Lab and MSU Wool Lab)					
	3,858,000				3,858,000

24 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

25 MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)

	4,700,000				4,700,000
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27 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

28 Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	2,200,000		2,200,000
2	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
3	DPHHS DOA Supplemental State Health Lab Renovation		
4	7,000,000		7,000,000
5	Funding may be utilized by the department for project completion in the event federal grant funding		
6	expenditure deadlines are not extended for the project in section 3, Chapter 461, Laws of 2021.		
7	Revenue Supplemental Liquor Warehouse Expansion		
8	<hr/>	<hr/>	<hr/>
	14,315,750		14,315,750
9	<u>15,515,750</u>		<u>15,515,750</u>
10	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
11	DPHHS Supplemental SWMVH Cottage Connectors		
12	5,250,000		5,250,000
13	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
14	MUS MT Tech Supplemental Heating Systems Upgrade		
15	2,750,000		2,750,000
16	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
17	MUS UMW Supplemental Block Hall Renovation		
18	3,600,000		3,600,000
19	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
20	MDT Supplemental West Yellowstone Airport Terminal		
21	9,000,000		9,000,000
22	Funding may be utilized on a prorated basis by the department for project completion in the event		
23	additional federal grant funding is not received for inflationary and scope adjustments for the project in section		
24	2, Chapter 422, Laws of 2019, and section 3, Chapter 461, Laws of 2021, up to an aggregate of \$41,500,000		
25	from all sources. This aggregate amount does not limit or restrict 17-7-211.		
26	DMA Supplemental Silver Bow Readiness Center		
27	5,491,795	8,221,254	13,713,049
28	Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and		

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

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HB0005.003.025

1	section 3, Chapter 461, Laws of 2021.		
2	MUS MAES Supplemental MAES Research Labs		
3		1,604,050	1,604,050
4		<u>4,396,000</u>	<u>4,396,000</u>
5	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
6	DOA Supplemental Mazurek Building Renovation		
7		5,000,000	5,000,000
8	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
9	DNRC Supplemental ELO Facilities & Shop		
10		2,180,235	2,180,235
11		<u>3,003,553</u>	<u>3,003,553</u>
12	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
13	MUS MSU Supplemental Haynes Hall Ventilation Upgrades		
14		3,400,000	3,400,000
15	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
16	2021.		
17	MDT Supplemental Lincoln Airport SRE Building		
18		250,000	250,000
19	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
20	FWP Supplemental Havre Area Office		
21		2,199,600	620,400
22			2,820,000
23	Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
24	<u>DOJ MLEA SUPPLEMENTAL SCENARIO BUILDING</u>		
25		<u>2,600,000</u>	<u>2,600,000</u>
26	<u>INFLATIONARY ADJUSTMENT FUNDING IS PROVIDED FOR THE PROJECT IN SECTION 3, CHAPTER 461, LAWS OF</u>		
27	<u>2021.</u>		
28	FWP Supplemental Glasgow Headquarters		

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1		3,100,000	3,100,000
2	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
3	2019.		
4	FWP Supplemental Lewistown Area Office		
5		4,000,000	4,000,000
6	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
7	2019.		
8	FWP Supplemental MT Wild Avian Rehab Building		
9		550,000	550,000
10	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
11	2021.		
12	DMA Supplemental Billings AFRC Unheated Storage		
13		46,208	92,416
14	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
15	DMA Supplemental Havre Unheated Building		
16		63,318	126,636
17	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
18	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance		
19		15,903,000	15,903,000
20	<u>UP TO \$10,000,000 OF FUNDING FOR THE PROJECT MUST BE USED FOR REBUILDING A WATER LINE</u>		
21	<u>CONSTRUCTED BY THE STATE SERVING THE MONTANA STATE HOSPITAL. THE DEPARTMENT IS AUTHORIZED TO</u>		
22	<u>CONTRACT WITH ANACONDA-DEER LODGE COUNTY FOR THIS PORTION OF THE PROJECT AT THE DEPARTMENT'S</u>		
23	<u>DISCRETION.</u>		
24	DOC MSP Replace Low-Side Housing		
25		135,000,000	135,000,000
26		<u>156,000,000</u>	<u>156,000,000</u>
27	<u>DOC MSP Unit D Renovation</u>		
28		<u>18,840,831</u>	<u>18,840,831</u>

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	DPHHS Statewide Behavioral Health Initiative		
2		113,000,000	113,000,000
3	<u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>		
4		<u>7,000,000</u>	<u>7,000,000</u>
5	DOA Renovation of Capitol Complex Offices, Implement ROWS		
6		50,000,000	50,000,000
7	DOA State Capitol Building Improvements		
8		26,316,458	26,316,458
9		28,695,418	28,695,418
10	DNRC Seedling Nursery Improvements		
11		2,797,320	2,797,320
12	DOC MSP Water Line Replacement		
13		3,000,000	3,000,000
14	DOC MSP Entry/Staff Services Addition to Wallace Building		
15		12,800,000	12,800,000
16	DOC MSP Replace Roofs		
17		5,600,000	5,600,000
18	DOC MSP Xanthopoulos Building Repairs		
19		2,950,000	2,950,000
20	DOC MSP New Multi-Purpose Programs Building		
21		9,000,000	9,000,000
22	DLI Job Service Great Falls Building Renovation		
23		5,767,880	5,767,880
24	MUS UM FLBS Water and Sewer Systems		
25		2,500,000	2,500,000
26	DOC MWP Roof Replacement		
27		5,000,000	5,000,000
28	DMA Billings Readiness and Innovation Campus		

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	12,840,000		12,840,000
2	<u>26,840,000</u>	<u>52,000,000</u>	<u>78,840,000</u>
3	DNRC Clearwater Replacement Bunkhouse		
4	1,189,178		1,189,178
5	DNRC Anaconda Bunkhouse		
6	1,180,962		1,180,962
7	DNRC NELO Fire Ready Room		
8	445,491		445,491
9	DNRC CLO Dispatch Center Expansion		
10	545,000		545,000
11	DPHHS MMHNCC Heated Storage Unit		
12	720,000		720,000
13	<u>360,000</u>		<u>360,000</u>
14	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>		
15	1,000,000	6,000,000	7,000,000
16	<u>6,000,000</u>		<u>6,000,000</u>
17	<u>FEDERAL FUNDS MUST BE OBLIGATED PRIOR TO PROJECT INITIATION.</u>		
18	DOA Old Board of Health Renovation (Legislative Staff Space)		
19	3,500,000		3,500,000
20	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements		
21	3,000,000		3,000,000
22	DMA Helena Readiness HVAC & Temp Control Upgrade		
23	798,420	2,542,248	3,340,668
24	MUS HC Acquire and Renovate Airport Hangar		
25	3,600,000		3,600,000
26	DMA DES State Emergency Coordination Center Expansion		
27	6,581,000		6,581,000
28	MUS UM Clapp Building Renovation		

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	27,000,000	10,000,000	37,000,000
2	MUS MSU Lewis Hall Code & Instructional Renovations		
3	23,500,000	8,000,000	31,500,000
4	DOA 5 Last Chance Gulch Atrium Renovation		
5	15,558,029		15,558,029
6	MUS MT Tech Engineering Hall Renovation		
7	8,000,000		8,000,000
8	MUS MT Tech Main Hall Renovation		
9	30,000,000		30,000,000
10	MUS MAES BART Life-Safety & Programmatic Improvements		
11	10,000,000		10,000,000
12	DMA DES State Disaster Warehouse		
13	5,704,000		5,704,000
14	MUS UMW Campus Storage/Warehouse Building		
15	1,250,000		1,250,000
16	<u>MUS MSU-N HEALTH AND RECREATION COMPLEX</u>		
17	<u>25,000,000</u>		<u>25,000,000</u>
18	FWP Makoshika Campground Improvement & Addition		
19	2,500,000	2,500,000	5,000,000
20	FWP Beartooth WMA Facilities Upgrade		
21	8,000,000		8,000,000
22	FWP Agency Staff Housing		
23	7,500,000		7,500,000
24	<u>FWP Miles City Train Depot Renovation</u>		
25	<u>2,000,000</u>		<u>2,000,000</u>
26	<u>Up to \$1.5 million of state special revenue funds consist of funds from 15-65-121(2)(e). Up to \$500,000</u>		
27	<u>of state special revenue funds consist of funds from the account established in 23-1-105.</u>		
28	FWP Central Services Site Upgrades		

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	17,168,330	17,168,330
2	<u>10,343,330</u>	<u>10,343,330</u>
3	MDT Combination Facility Great Falls	
4	12,600,000	12,600,000
5	MDT Combination Facility Kalispell	
6	11,000,000	11,000,000
7	MDT Combination Facility Missoula	
8	10,500,000	10,500,000
9	MUS MSU Supplemental Facilities Yard Relocation	
10	8,000,000	8,000,000
11	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of	
12	2019.	
13	MUS UM Supplemental Mansfield Library Remodel	
14	4,000,000	4,000,000
15	Inflationary and scope adjustment funding is provided for the project in section <u>3</u> 4, Chapter 461, Laws	
16	of 2021.	
17	MUS MSU Supplemental Visual Communications Building	
18	4,000,000	4,000,000
19	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of	
20	2019.	
21	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)	
22	92,000,000	92,000,000
23	MUS MSU Gianforte Hall, School of Computing	
24	50,000,000	50,000,000
25	MUS UM Adams Center - Student Athlete Locker Rooms	
26	6,000,000	6,000,000
27	MUS UM Campuswide Classroom Upgrades	
28	6,000,000	6,000,000

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	MUS UM Liberal Arts Building / Eck Hall		
2		4,000,000	4,000,000
3	MUS MSU Indoor Practice Facility		
4		15,000,000	15,000,000
5	MUS MT Tech Highlands College Indoor Pole Barn		
6		2,000,000	2,000,000
7	DOA Statewide Federal Spending Authority		
8		5,000,000	5,000,000
9	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
10		590,000	590,000
11	<u>MUS UM MCGILL HALL EXPANSION</u>		
12		<u>3,000,000</u>	<u>3,000,000</u>

13 (2) (A) FOR THE BIENNIUM BEGINNING JULY 1, 2023, THERE IS APPROPRIATED TO THE DEPARTMENT OF
14 ADMINISTRATION \$4 MILLION OF STATE SPECIAL REVENUE FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
15 BEARTOOTH WMA FACILITIES UPGRADE CAPITAL DEVELOPMENT PROJECT.

16 (B) FOR THE BIENNIUM BEGINNING JULY 1, 2023, AN ADDITIONAL \$4 MILLION OF STATE SPECIAL REVENUE
17 IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION FOR THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS
18 BEARTOOTH WMA FACILITIES UPGRADE CAPITAL DEVELOPMENT PROJECT CONTINGENT ON THE DEPARTMENT OF
19 ADMINISTRATION PROVIDING WRITTEN CONFIRMATION TO THE GOVERNOR THAT THE PROJECT IS UNDER CONTRACT.

20 (C) THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS SHALL PROVIDE A QUARTERLY REPORT ON THE
21 STATUS OF THE PROJECT AND ITS ASSOCIATED EXPENDITURES IN DIGITAL FORMAT TO THE LEGISLATIVE FISCAL ANALYST.
22 THE REPORT MUST BE DISTRIBUTED BY THE LEGISLATIVE FISCAL ANALYST TO MEMBERS OF THE LEGISLATIVE FINANCE
23 COMMITTEE AND THE LONG-RANGE PLANNING BUDGET COMMITTEE PROVIDED FOR IN 5-12-501.

24 (3) (A) EXCEPT AS PROVIDED IN SUBSECTION (3)(B), FUNDS APPROPRIATED FOR THE DOC FLATHEAD
25 COUNTY PRERELEASE CENTER MAY NOT BE EXPENDED UNTIL THE DEPARTMENT HAS RECEIVED ALL NECESSARY
26 AUTHORIZATIONS FOR THE PROPOSED PRERELEASE CENTER.

27 (B) TO SECURE ACQUISITION OF THE FACILITY, THE DEPARTMENT OF CORRECTIONS MAY ENTER INTO A
28 PURCHASE OPTION AGREEMENT WITH THE OWNER NOT TO EXCEED 18 MONTHS IN LENGTH. THE OPTION FEE MUST BE

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1 FULLY CREDITED TO THE PURCHASE PRICE IF THE DEPARTMENT OF CORRECTIONS PURCHASES THE FACILITY. THE
2 OPTION FEE MAY NOT EXCEED 1% OF THE PURCHASE PRICE.

3 ~~(2)~~(4) The following money is appropriated to the department of military affairs for the indicated
4 capital development projects from the indicated sources. Funds not requiring legislative appropriation are
5 included for the purpose of authorization.

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Sources	
DMA FTH Aviation Facility HVAC & Temperature Control Upgrade		3,580,365		3,580,365
DMA FTH Collective Training Housing Facility		3,000,000		3,000,000
DMA FTH Ready Building Addition		4,700,000		4,700,000
DMA FTH Training Site HVAC and Controls Upgrade		2,574,002		2,574,002

17 ~~(3)~~(5) (a) Pursuant to 17-7-210, if construction of a new facility requires an immediate or future
18 increase in state funding for program expansion or operations and maintenance, the legislature may not
19 authorize the new facility unless it also appropriates funds for the increase in state funding for program
20 expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year
21 following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in
22 this subsection ~~(3)~~(5) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-
23 304.

24 (b) It is the legislature’s intent that the appropriations in this subsection ~~(3)~~ (5) become part of the
25 respective agency’s base budget for the biennium beginning July 1, 2025.

26 (c) The following money is appropriated for the biennium beginning July 1, 2023, to the indicated
27 agency from the indicated sources for program expansion or operations and maintenance for the indicated new
28 facility:

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	Agency/Project	General	State	Federal	Authority	Total
2		Fund	Special	Special	Only	
3			Revenue	Revenue	Sources	
4	Department of Corrections					
5	BSB Re-Entry Services, Acadia Facility					
6		563,536				563,536
7	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter					
8	401, Laws of 2021.					
9	DOC MSP Replace Low-Side Housing					
10		176,560				176,560
11	DOC MSP Entry/Staff Services Addition to Wallace Building					
12		184,000				184,000
13	DOC MSP New Multi-Purpose Programs Building					
14		<u>100,340</u>				<u>103,340</u>
15		<u>103,040</u>				<u>103,040</u>
16	<u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>					
17		<u>3,388,560</u>				<u>3,388,560</u>
18	<u>THE APPROPRIATION FOR THE DOC FLATHEAD COUNTY PRERELEASE CENTER IS FOR THE FISCAL YEAR</u>					
19	<u>BEGINNING JULY 1, 2024.</u>					
20	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths					
21					40,000	40,000
22	Department of Fish, Wildlife, and Parks					
23	FWP Beartooth WMA Facilities Upgrade					
24			80,000			80,000
25	FWP Agency Staff Housing					
26			225,000			225,000
27	FWP Central Services Site Upgrades					
28			128,762			128,762

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	<u>FWP Miles City Train Depot Operations and Maintenance</u>		
2		<u>73,000</u>	<u>73,000</u>
3	<u>Operations and maintenance are from FWP state special revenue funds.</u>		
4	Department of Military Affairs		
5	DMA Billings LAASF		
6		200,000	200,000
7	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
8	Laws of 2021.		
9	DMA DES State Emergency Coordination Center Expansion		
10		54,012	54,012
11	DMA FTH Collective Training Housing Facility		
12		34,000	34,000
13	DMA FTH Ready Building Addition		
14		26,472	26,472
15	Department of Natural Resources and Conservation		
16	DNRC Clearwater Replacement Bunkhouse		
17		27,650	27,650
18	DNRC Anaconda Bunkhouse		
19		33,180	33,180
20	DNRC NELO Fire Ready Room		
21		17,696	17,696
22	DNRC CLO Dispatch Center Expansion		
23		10,700	10,700
24	Department of Public Health and Human Services		
25	DPHHS Statewide Behavioral Health Initiative		
26		<hr/> 2,503,280	<hr/> 2,503,280
27	DPHHS MMHNCC Heated Storage Unit		
28		21,312	21,312

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>		
2		1,200,000	1,200,000
3	DMA DES State Disaster Warehouse		
4	62,000		62,000
5	Montana Department of Transportation		
6	MDT Combination Facility Great Falls		
7	53,900		53,900
8	MDT Combination Facility Kalispell		
9	42,400		42,400
10	MDT Combination Facility Missoula		
11	41,800		41,800
12	Montana University System		
13	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)		
14	520,695		520,695
15	MUS HC Acquire and Renovate Airport Hangar		
16	188,133		188,133
17	MUS UMW Campus Storage/Warehouse Building		
18	63,975		63,975
19	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
20	4,000,154		4,000,154
21	MUS MSU Gianforte Hall, School of Computing		
22	1,730,858		1,730,858
23	MUS MSU Indoor Practice Facility		
24			athletics/auxiliaries funds only
25	MUS MT Tech Highlands College Indoor Pole Barn		
26	42,671		42,671
27	<u>MUS UM MCGILL HALL EXPANSION</u>		
28	<u>62,256</u>		<u>62,256</u>

1 MUS MSU-N HEALTH AND RECREATION COMPLEX

2 585,240

585,240

3 (d) After receipt of a certificate of occupancy, funding appropriated in subsection ~~(3)(e)~~(5)(c) to the
4 Montana university system Wool Lab and in section 1(4)(c), Ch. 468, L. 2021, to the department of agriculture
5 Ag Analytical Lab shall be transferred each biennium to the department of livestock.

6
7 NEW SECTION. SECTION 4. PROJECT PRIORITY. (1) THE DEPARTMENT OF ADMINISTRATION SHALL
8 PRIORITIZE THE FOLLOWING PROJECTS AT THE MONTANA STATE PRISON AS FIRST AND SHALL MOVE AT ALL DELIBERATE
9 SPEED TO HAVE EACH PROJECT UNDER CONTRACT BY SEPTEMBER 30, 2023:

10 DOC MSP REPLACE LOW-SIDE HOUSING

11 DOC MSP PERIMETER FENCE ENHANCEMENT

12 DOC MSP UNIT F WATER SUPPLY UPGRADE

13 DOC MSP WATER LINE REPLACEMENT

14 DOC MSP ENTRY/STAFF SERVICES ADDITION TO WALLACE BUILDING

15 DOC MSP REPLACE ROOFS

16 DOC MSP XANTHOPOULOS BUILDING REPAIRS

17 DOC MSP NEW MULTI-PURPOSE PROGRAMS BUILDING

18 (2) TO EXPEDITE CONSTRUCTION OF NEW LOW-SIDE HOUSING UNITS AT MONTANA STATE PRISON, THE
19 DEPARTMENT OF ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT OF CORRECTIONS, IS AUTHORIZED TO
20 PURCHASE PLANS FOR PRISON HOUSING THAT WERE CONSTRUCTED IN ANOTHER STATE, PROVIDED THOSE PLANS CAN
21 BE MADE TO COMPLY WITH THE PROFESSIONAL SERVICES REQUIREMENTS OF TITLE 18, CHAPTER 2, AND TITLE 37,
22 CHAPTERS 65 AND 67.

23
24 NEW SECTION. Section 5. Capital improvements projects. (1) The following money is
25 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making
26 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the
27 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,
28 authority, or both among the necessary fund types for these projects:

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1	Agency/Project	State	Federal	Authority	Total
2		Special	Special	Only	
3		Revenue	Revenue	Source	
4	FWP Statewide Admin Facilities Major Maintenance				
5		1,931,500		5,000,000	6,931,500
6		<u>1,991,500</u>		<u>5,000,000</u>	<u>6,991,500</u>
7	<u>Up to \$60,000 of state special revenue funding must be used for construction of a warming hut at</u>				
8	<u>Bannack state park.</u>				
9	FWP Signage & Wayfinding Updates				
10		2,500,000			2,500,000
11		<u>1,250,000</u>			<u>1,250,000</u>
12	FWP Erosion Control				
13		2,673,000			2,673,000
14	FWP Community Ponds				
15		200,000			200,000
16	FWP Forest Management				
17		100,000	300,000		400,000
18	FWP Site Maintenance Upgrades & Improvements				
19		4,572,450	1,770,750	1,193,000	7,536,200
20	FWP Shooting Range Development				
21		1,000,000	3,000,000		4,000,000
22	FWP Wildlife Habitat Improvement Program Renewal				
23			2,000,000		2,000,000
24	FWP Wildlife Habitat Management & Maintenance				
25		1,140,000	2,765,000		3,905,000
26	FWP Upland Game Bird Enhancement Program				
27		1,908,000	600,000		2,508,000
28	FWP Migratory Bird Wetland Program				

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1		500,000			500,000
2	FWP Future Fisheries				
3		2,000,000			2,000,000
4	FWP Hatcheries Maintenance				
5		2,000,000			2,000,000
6	FWP POR Grant Programs				
7		5,000,000	6,000,000		11,000,000
8	FWP Fish Connectivity				
9		548,454	1,278,992	140,234	1,967,680
10	FWP PALA Access Program				
11		1,000,000			1,000,000

(2) Authority is granted to the Montana university system for the purpose of making capital improvements to campus facilities statewide. Use of authority-only funds may be allocated at not more than \$2,500,000 per project and a project may not be segregated to circumvent this limitation. All costs for the operations and maintenance of any improvements constructed under this authorization must be paid by the Montana university system from nonstate sources:

17	Agency/Project	State	Federal	Authority	Total
18		Special	Special	Only	
19		Revenue	Revenue	Sources	
20	General Spending Authority, MUS			20,000,000	20,000,000

(3) 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. 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:

25	Agency/Project	State	Federal	Authority	Total
26		Special	Special	Only	
27		Revenue	Revenue	Sources	
28	DMA Federal Spending Authority		3,000,000		3,000,000

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1 (4) The following money is appropriated to the department of transportation in the indicated
 2 amount for the purpose of making capital improvements to statewide facilities as indicated:

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Sources	
6 MDT Maintenance, Repair, and Small Projects				
	3,000,000			3,000,000

8 (5) The following money is appropriated to the department of environmental quality in the indicated
 9 amount from state building energy conservation funds for the purposes of making capital improvements, and is
 10 authorized to transfer the appropriation, authority, or both among the necessary fund types.

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Sources	
14 DEQ Energy Improvements, Statewide				
			3,700,000	3,700,000

15 (6) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF COMMERCE IN THE INDICATED
 16 AMOUNT FOR GRANTS TO THE CHIPPEWA CREE TRIBE FOR THE PURPOSE OF THE FOLLOWING PROJECTS:

<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>	
	<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>		
	<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>		
20 <u>CHIPPEWA CREE CULTURAL CEREMONY BUILDING REPAIR</u>					<u>1,000,000</u>	<u>1,000,000</u>
21 <u>CHIPPEWA CREE LANGUAGE IMMERSION SCHOOL</u>					<u>1,000,000</u>	<u>1,000,000</u>

22 OTHER FUNDING SOURCES CONSIST OF ONE-TIME-ONLY STATE GENERAL FUND MONEY.

23 (7) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF TRANSPORTATION IN THE
 24 INDICATED AMOUNT FOR THE PURPOSE OF CONSTRUCTING NEW PUBLIC SIDEWALKS ALONG U.S. HIGHWAY 2, FROM THE
 25 INTERSECTION OF MEADOWLARK DRIVE TO THE INTERSECTION OF TERRY ROAD, AND FROM THE INTERSECTION OF EAST
 26 EVERGREEN DRIVE TO THE INTERSECTION OF POPLAR ROAD.

<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
	<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
2	<u>MDT US HIGHWAY 2 SIDEWALKS PROJECT</u>				<u>1,000,000</u>	<u>1,000,000</u>

3 OTHER FUNDING SOURCES CONSIST OF ONE-TIME-ONLY STATE GENERAL FUND MONEY.

4 (8) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF COMMERCE IN THE INDICATED
 5 AMOUNT FOR A GRANT TO THE CITY OF MISSOULA FOR THE PURPOSE OF THE FOLLOWING PROJECT:

6	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
7		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
8		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
9	<u>CITY OF MISSOULA RIVERFRONT TRAIL PUBLIC PLAZA</u>				<u>250,000</u>	<u>250,000</u>

10 OTHER FUNDING SOURCES CONSIST OF ONE-TIME-ONLY STATE GENERAL FUND MONEY.

11 (9) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF REVENUE IN THE INDICATED
 12 AMOUNT FOR THE PURPOSE OF A STATE LINE SURVEY PROJECT TO BE CONDUCTED BY THE U.S. BUREAU OF LAND
 13 MANAGEMENT IN MINERAL COUNTY.

14	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
15		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
16		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
17	<u>DEPARTMENT OF REVENUE/MINERAL COUNTY STATE LINE SURVEY</u>				<u>76,000</u>	<u>76,000</u>

18 OTHER FUNDING SOURCES CONSIST OF ONE-TIME-ONLY STATE GENERAL FUND MONEY.

19 (10) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN THE
 20 INDICATED AMOUNTS FOR GRANTS THAT REDUCE EXPOSURE TO LEAD IN DRINKING WATER AT SCHOOL FACILITIES:

21	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
22		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
23		<u>REVENUE</u>	<u>REVENUE</u>		<u>SOURCES</u>	
24	<u>DEQ SCHOOL LEAD REMEDIATION</u>					
25		<u>3,700,000</u>				<u>3,700,000</u>
26					<u>3,700,000</u>	<u>3,700,000</u>

27 ~~STATE SPECIAL REVENUES CONSIST OF FUNDS FROM THE ACCOUNT ESTABLISHED IN 75-11-313.~~

28 Other funding sources consist of one-time-only state general fund money.

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1 (11) The following money is appropriated to the department of natural resources and conservation
2 in the indicated amount for a grant to the Yellowstone Conservation District and the City of Billings for
3 construction for the Yellowstone Conservation Area.

4	<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
5		<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	
6		<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>	

7 DNRC Yellowstone Conservation Area 8,000,000 8,000,000
8 Other funding sources consist of one-time-only state general fund money.

9 (12) The following money is appropriated to the department of commerce in the indicated amount
10 for a grant to the city of Columbus for a grant for water and sewer system upgrades and repairs:

11	<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
12		<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	
13		<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>	

14 Department of Commerce/City of Columbus water and sewer system upgrades and repairs
15 1,000,000 1,000,000

16 Other funding sources consist of one-time-only state general fund money.

17 (13) The following money is appropriated to the department of commerce in the indicated amount
18 for a grant to the world museum of mining in Butte-Silver Bow for the purpose of the design and construction of
19 the world museum of mining heritage center.

20	<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
21		<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	
22		<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>	

23 Department of Commerce/World Museum of Mining Heritage Center 9,600,000 9,600,000

24 Other funding sources consist of one-time-only state general fund money.

25 (14) The following money is appropriated to the department of commerce in the indicated amount
26 for grants to local governments as defined in 90-6-701 for local park facility improvements.

27	<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
28		<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	

1		<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>
2		<u>Department of Commerce/local park facility improvement grants</u>			
3				<u>2,000,000</u>	<u>2,000,000</u>
4		<u>Other funding sources consist of one-time-only state general fund money.</u>			

6 **NEW SECTION. Section 6. Land acquisition appropriations.** The following money is appropriated
7 to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land
8 leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is
9 authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

10	Agency/Project	State	Federal	Authority	Total
11		Special	Special	Only	
12		Revenue	Revenue	Sources	
13	FWP Habitat Montana	9,650,000	2,350,000		12,000,000

15 **NEW SECTION. Section 7. Planning and design.** The department of administration may proceed
16 with the planning and design of capital projects in either or both [sections 2 and 3] prior to the receipt of other
17 funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and
18 design costs incurred before the receipt of other funding sources.

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

- 25 (a) the level of funding and authorization provided under the financial plan and agreement deviates
- 26 substantially from the funding level provided in either or both [sections 2 and 3] for that project; or
- 27 (b) the scope of the project is substantially altered or revised from the concept and intent for that
- 28 project as presented to the 68th legislature.

1 (2) This section does not limit or restrict 17-7-211.

2

3 NEW SECTION. Section 9. Review by department of environmental quality. The department of
4 environmental quality shall review capital projects authorized in either or both [sections 2 and 3] for potential
5 inclusion in the state building energy conservation program (SBECP) under Title 90, chapter 4, part 6. When a
6 review shows that a capital project will result in energy or utility savings and improvements, that project must be
7 submitted to the energy conservation program for funding consideration by the SBECP. Funding provided
8 under the energy conservation program guidelines must be used to offset or add to the authorized funding for
9 the project, and the amount will be dependent on the annual utility savings resulting from the capital project.
10 Agencies must be notified of potential funding after the review and are obligated to utilize the SBECP funding, if
11 available.

12

13 NEW SECTION. Section 10. Legislative consent. The appropriations authorized in [sections 4
14 through 8] [~~SECTIONS 1 THROUGH 26~~] [~~SECTIONS 1 THROUGH 27~~] constitute legislative consent for the capital
15 projects contained in [sections 1 through 8] [~~SECTIONS 1 THROUGH 26~~] [~~SECTIONS 1 THROUGH 27~~] within the
16 meaning of 18-2-102.

17

18 NEW SECTION. Section 11. Increase in state funding for program expansion or operations and
19 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and
20 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 68th
21 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

22

23 ~~SECTION 12. SECTION 75-11-313, MCA, IS AMENDED TO READ:~~

24 ~~"75-11-313.—Petroleum tank release cleanup fund. (1) There is a petroleum tank release cleanup~~
25 ~~fund in the state special revenue fund established in 17-2-102. The fund is administered as a revolving fund by~~
26 ~~the board and is statutorily appropriated, as provided in 17-7-502, for the purposes provided for under~~
27 ~~subsections (3)(c) and (3)(d). Administrative costs under subsections (3)(a) and (3)(b) must be paid pursuant to~~
28 ~~a legislative appropriation.~~

- 1 ~~(2) — There is deposited in the fund:~~
- 2 ~~(a) — all revenue from the petroleum storage tank cleanup fee as provided in 75-11-314;~~
- 3 ~~(b) — money received by the board in the form of gifts, grants, reimbursements, or appropriations,~~
- 4 ~~from any source, intended to be used for the purposes of this fund;~~
- 5 ~~(c) — money appropriated or advanced to the fund by the legislature;~~
- 6 ~~(d) — money loaned to the board by the board of investments; and~~
- 7 ~~(e) — all interest earned on money in the fund.~~
- 8 ~~(3) — As provided in 75-11-318, the fund may be used only:~~
- 9 ~~(a) — to administer this part, including payment of board expenses associated with administration;~~
- 10 ~~(b) — to pay the actual and necessary department expenses associated with administration;~~
- 11 ~~(c) — to reimburse owners and operators for eligible costs caused by a release from a petroleum~~
- 12 ~~storage tank and approved by the board; and~~
- 13 ~~(d) — for repayment of any advance and any loan made pursuant to 17-6-225, plus interest earned~~
- 14 ~~on the advance or loan.; and~~
- 15 ~~(e) — for lead remediation in school districts.~~
- 16 ~~(4) — Whenever the board accepts a loan from the board of investments pursuant to 17-6-225, the~~
- 17 ~~receipts from the fees provided for in 75-11-314 in each fiscal year until the loan is repaid are pledged and~~
- 18 ~~dedicated for the repayment of the loan in an amount sufficient to meet the repayment obligation for that fiscal~~
- 19 ~~year."~~

21 **NEW SECTION. Section 12. Transfer of funds.** By August 15, 2023, the department of
 22 administration shall make the following transfers:

- 23 (1) \$41,420,091 from the capital developments long-range building program account established in
 24 17-7-209 to the major repair long-range building program account established in 17-7-221.
- 25 (2) \$2,000,000 FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT
 26 ESTABLISHED IN 17-7-209 TO THE CAPITOL PROJECTS LAND GRANT FUND PROVIDED FOR IN 18-2-107.
- 27 (2) — ~~\$113,000,000 from the general fund to the capital developments long-range building program~~
 28 ~~account established in 17-7-209.~~

1 (3) \$6,000,000 from the general fund to the capital developments long-range building program
2 account established in 17-7-209.

3

4 **Section 13.** Section 15-65-121, MCA, is amended to read:

5 **"15-65-121. (Temporary) Distribution of tax proceeds.** (1) The proceeds of the tax imposed by 15-
6 65-111 must, in accordance with the provisions of 17-2-124, be deposited in an account in the state special
7 revenue fund to the credit of the department. The department may spend from that account in accordance with
8 an expenditure appropriation by the legislature based on an estimate of the costs of collecting and disbursing
9 the proceeds of the tax. Before allocating the balance of the tax proceeds in accordance with the provisions of
10 17-2-124 and as provided in subsections (2)(a) through (2)(i) of this section, the department shall determine the
11 expenditures by state agencies for in-state lodging for each reporting period and deduct 4% of that amount from
12 the tax proceeds received each reporting period. The department shall distribute the portion of the 4% that was
13 paid with federal funds to the agency that made the in-state lodging expenditure and deposit 30% of the amount
14 deducted less the portion paid with federal funds in the state general fund.

15 (2) The balance of the tax proceeds received each reporting period and not deducted pursuant to
16 the expenditure appropriation, deposited in the state general fund, distributed to agencies that paid the tax with
17 federal funds, or deposited in the heritage preservation and development account must be transferred to an
18 account in the state special revenue fund to the credit of the department of commerce for tourism promotion
19 and promotion of the state as a location for the production of motion pictures and television commercials, to the
20 Montana historical interpretation state special revenue account, to the Montana historical society, to the
21 university system, to the state-tribal economic development commission, and to the department of fish, wildlife,
22 and parks, as follows:

23 (a) 1% to the Montana historical society to be used for the installation or maintenance of roadside
24 historical signs and historic sites;

25 (b) 2.5% to the university system for the establishment and maintenance of a Montana travel
26 research program;

27 (c) 6.5% to the department of fish, wildlife, and parks for the maintenance of facilities in state parks
28 that have both resident and nonresident use;

1 (d) 1.4% to the invasive species state special revenue account established in 80-7-1004;

2 (e) 60.3% to be used directly by the department of commerce, in part to renovate the Miles City

3 train depot;

4 (f) (i) except as provided in subsection (2)(f)(ii), 22.5% to be distributed by the department to

5 regional nonprofit tourism corporations in the ratio of the proceeds collected in each tourism region to the total

6 proceeds collected statewide; and

7 (ii) if 22.5% of the proceeds collected annually within the limits of a city, consolidated city-county,

8 resort area, or resort area district exceeds \$35,000, 50% of the amount available for distribution to the regional

9 nonprofit tourism corporation in the region where the city, consolidated city-county, resort area, or resort area

10 district is located, to be distributed to the nonprofit convention and visitors bureau in that city, consolidated city-

11 county, resort area, or resort area district;

12 (g) 0.5% to the state special revenue account provided for in 90-1-135 for use by the state-tribal

13 economic development commission established in 90-1-131 for activities in the Indian tourism region;

14 (h) 2.6% to the Montana historical interpretation state special revenue account established in 22-3-

15 115; and

16 (i) 2.7% or \$1 million, whichever is less, to the Montana heritage preservation and development

17 account provided for in 22-3-1004. The Montana heritage preservation and development commission shall

18 report on the use of funds received pursuant to this subsection (2)(i) to the legislative finance committee on a

19 semiannual basis, in accordance with 5-11-210.

20 (3) If a city, consolidated city-county, resort area, or resort area district qualifies under 15-68-

21 820(5)(b)(iii) or this section for funds but fails to either recognize a nonprofit convention and visitors bureau or

22 submit and gain approval for an annual marketing plan as required in 15-65-122, then those funds must be

23 allocated to the regional nonprofit tourism corporation in the region in which the city, consolidated city-county,

24 resort area, or resort area district is located.

25 (4) If a regional nonprofit tourism corporation fails to submit and gain approval for an annual

26 marketing plan as required in 15-65-122, then those funds otherwise allocated to the regional nonprofit tourism

27 corporation may be used by the department of commerce for tourism promotion and promotion of the state as a

28 location for the production of motion pictures and television commercials.

1 (5) The tax proceeds received that are transferred to a state special revenue account pursuant to
2 subsections (2)(a) through (2)(c), (2)(e), and (2)(f) are statutorily appropriated to the entities as provided in 17-
3 7-502.

4 (6) The tax proceeds received that are transferred to the invasive species state special revenue
5 account pursuant to subsection (2)(d), to the Montana historical interpretation state special revenue account
6 pursuant to subsection (2)(h), and to the Montana heritage preservation and development account pursuant to
7 subsection (2)(i) are subject to appropriation by the legislature. (Terminates June 30, 2027--sec. 12, Ch. 563, L.
8 2021.)

9 **15-65-121. (Effective July 1, 2027) Distribution of tax proceeds.** (1) The proceeds of the tax
10 imposed by 15-65-111 must, in accordance with the provisions of 17-2-124, be deposited in an account in the
11 state special revenue fund to the credit of the department. The department may spend from that account in
12 accordance with an expenditure appropriation by the legislature based on an estimate of the costs of collecting
13 and disbursing the proceeds of the tax. Before allocating the balance of the tax proceeds in accordance with
14 the provisions of 17-2-124 and as provided in subsections (2)(a) through (2)(h) of this section, the department
15 shall determine the expenditures by state agencies for in-state lodging for each reporting period and deduct 4%
16 of that amount from the tax proceeds received each reporting period. The department shall distribute the
17 portion of the 4% that was paid with federal funds to the agency that made the in-state lodging expenditure and
18 deposit 30% of the amount deducted less the portion paid with federal funds in the state general fund. The
19 amount of \$400,000 each year must be deposited in the Montana heritage preservation and development
20 account provided for in 22-3-1004.

21 (2) The balance of the tax proceeds received each reporting period and not deducted pursuant to
22 the expenditure appropriation, deposited in the state general fund, distributed to agencies that paid the tax with
23 federal funds, or deposited in the heritage preservation and development account must be transferred to an
24 account in the state special revenue fund to the credit of the department of commerce for tourism promotion
25 and promotion of the state as a location for the production of motion pictures and television commercials, to the
26 Montana historical interpretation state special revenue account, to the Montana historical society, to the
27 university system, to the state-tribal economic development commission, and to the department of fish, wildlife,
28 and parks, as follows:

- 1 (a) 1% to the Montana historical society to be used for the installation or maintenance of roadside
2 historical signs and historic sites;
- 3 (b) 2.5% to the university system for the establishment and maintenance of a Montana travel
4 research program;
- 5 (c) 6.5% to the department of fish, wildlife, and parks for the maintenance of facilities in state parks
6 that have both resident and nonresident use;
- 7 (d) 1.4% to the invasive species state special revenue account established in 80-7-1004;
- 8 (e) 63% to be used directly by the department of commerce;
- 9 (f) (i) except as provided in subsection (2)(f)(ii), 22.5% to be distributed by the department to
10 regional nonprofit tourism corporations in the ratio of the proceeds collected in each tourism region to the total
11 proceeds collected statewide; and
- 12 (ii) if 22.5% of the proceeds collected annually within the limits of a city, consolidated city-county,
13 resort area, or resort area district exceeds \$35,000, 50% of the amount available for distribution to the regional
14 nonprofit tourism corporation in the region where the city, consolidated city-county, resort area, or resort area
15 district is located, to be distributed to the nonprofit convention and visitors bureau in that city, consolidated city-
16 county, resort area, or resort area district;
- 17 (g) 0.5% to the state special revenue account provided for in 90-1-135 for use by the state-tribal
18 economic development commission established in 90-1-131 for activities in the Indian tourism region; and
- 19 (h) 2.6% to the Montana historical interpretation state special revenue account established in 22-3-
20 115.
- 21 (3) If a city, consolidated city-county, resort area, or resort area district qualifies under 15-68-
22 820(5)(b)(iii) or this section for funds but fails to either recognize a nonprofit convention and visitors bureau or
23 submit and gain approval for an annual marketing plan as required in 15-65-122, then those funds must be
24 allocated to the regional nonprofit tourism corporation in the region in which the city, consolidated city-county,
25 resort area, or resort area district is located.
- 26 (4) If a regional nonprofit tourism corporation fails to submit and gain approval for an annual
27 marketing plan as required in 15-65-122, then those funds otherwise allocated to the regional nonprofit tourism
28 corporation may be used by the department of commerce for tourism promotion and promotion of the state as a

1 location for the production of motion pictures and television commercials.

2 (5) The tax proceeds received that are transferred to a state special revenue account pursuant to
3 subsections (2)(a) through (2)(c), (2)(e), and (2)(f) are statutorily appropriated to the entities as provided in 17-
4 7-502.

5 (6) The tax proceeds received that are transferred to the invasive species state special revenue
6 account pursuant to subsection (2)(d) and to the Montana historical interpretation state special revenue account
7 pursuant to subsection (2)(h) are subject to appropriation by the legislature."

8

9 **Section 14.** Section 17-7-201, MCA, is amended to read:

10 **"17-7-201. Definitions.** In this part, the following definitions apply:

11 (1) (a) "Building" includes a:

12 (i) building, facility, or structure constructed or purchased wholly or in part with state money;

13 (ii) building, facility, or structure at a state institution;

14 (iii) building, facility, or structure owned or to be owned by a state agency, including the department
15 of transportation.

16 (b) The term does not include a:

17 (i) building, facility, or structure owned or to be owned by a county, city, town, school district, or
18 special improvement district;

19 (ii) facility or structure used as a component part of a highway or water conservation project.

20 (2) "Capital development" means a:

21 (a) renovation, construction, alteration, site, or utility project with a total cost of \$2.5 million or
22 more;

23 (b) new facility with a construction cost of \$250,000 or more; or

24 (c) purchase of real property for which an appropriation is required to fund the purchase.

25 (3) "Construction" includes construction, repair, alteration, renovation, and equipping and
26 furnishing during construction, repair, or alteration.

27 (4) "Division" means the architecture and engineering division of the department of administration.

28 (5) "High-performance building" means a building that integrates and optimizes all major high-

1 performance building attributes, including but not limited to:

- 2 (a) energy efficiency;
- 3 (b) durability;
- 4 (c) life-cycle performance; and
- 5 (d) occupant productivity.

6 (6) (a) "Long-range building program-eligible building" means a building, facility, or structure
7 eligible for major repair account funding that:

8 (i) is owned or fully operated by a state agency and for which the operation and maintenance are
9 funded with state general fund money; or

10 (ii) ~~that~~ supports academic missions of the university system and for which the operation and
11 maintenance are funded with current unrestricted university funds.

12 (b) The term does not include a building, facility, or structure:

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

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

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

- 18 (i) a renovation, alteration, replacement, or repair project with a total cost of less than \$2.5 million;
- 19 (ii) a site or utility improvement with a total cost of less than \$2.5 million; or
- 20 (iii) a new facility with a total construction cost of less than \$250,000.

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

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

- 24 (i) an addition to an existing building; and
- 25 (ii) the enclosure of space that was not previously fully enclosed.

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

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

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

7
8 **NEW SECTION. Section 15. Project management and supervision.** Up to \$2,000,000 is
9 appropriated from the major repair long-range building program account to the architecture and engineering
10 division for the purposes of contracted services or modified positions, and associated operating expenses, to
11 expeditiously implement ~~[sections 1 through 9]~~ [SECTIONS 1 THROUGH 11]. The division is authorized to transfer
12 the appropriation among the necessary fund types for supervision and project management.

13
14 **NEW SECTION. Section 16. APPROPRIATION FOR GALLATIN COLLEGE -- PROCESS. (1) FOR THE**
15 **BIENNIUM BEGINNING JULY 1, 2023, THERE IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION \$23.5 MILLION**
16 **OF CAPITAL DEVELOPMENT FUNDS AND \$22.5 MILLION OF AUTHORITY ONLY FOR CONSTRUCTION OF A FACILITY FOR**
17 **GALLATIN COLLEGE CONTINGENT ON THE FOLLOWING:**

18 (A) THE BUDGET DIRECTOR SHALL ADOPT A PLAN FOR THE DEVELOPMENT OF GALLATIN COLLEGE
19 THROUGH THE PROCESS SET FORTH IN SUBSECTION (2).

20 (B) FUNDS MUST BE RAISED FOR THE \$22.5 MILLION OF AUTHORITY ONLY CAPITAL PROJECT FUNDING. THE
21 VALUE OF ANY LAND DONATED FOR THE CAPITAL PROJECT MAY NOT BE CONSIDERED AS PART OF MEETING THE
22 FUNDRAISING REQUIREMENT.

23 (C) PLAN DEVELOPMENT, DELIVERY, AND ADOPTION MUST BE COORDINATED THROUGH THE DEPARTMENT
24 OF ADMINISTRATION. ALL PLAN DEVELOPMENT EFFORTS, CONTENT, AND COSTS ARE THE RESPONSIBILITY OF THE
25 MONTANA UNIVERSITY SYSTEM.

26 (D) NO CAPITAL DEVELOPMENT FUNDING OR AUTHORITY FOR THE CAPITAL PROJECT MAY BE USED FOR
27 PLAN DEVELOPMENT OR FOR LAND ACQUISITION.

28 (E) THE DEPARTMENT OF ADMINISTRATION MAY NOT PROCEED WITH CAPITAL PROJECT PROCUREMENT,

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1 PLANNING, OR DESIGN UNTIL THE CONDITIONS IN SUBSECTIONS (1)(A) AND (1)(B) HAVE BEEN MET.

2 (2) THE PROCESS FOR THE BUDGET DIRECTOR TO ADOPT A PLAN FOR GALLATIN COLLEGE IS AS FOLLOWS:

3 (A) THE MONTANA UNIVERSITY SYSTEM'S PLAN MUST BE PRESENTED THROUGH THE DEPARTMENT OF

4 ADMINISTRATION TO THE BUDGET DIRECTOR BY SEPTEMBER 30, 2023.

5 (B) THE BUDGET DIRECTOR SHALL REVIEW THE PLAN SUBMITTED IN SUBSECTION (2)(A) AND MAY:

6 (i) ADOPT THE PLAN; OR

7 (ii) NOT ADOPT THE PLAN AND PROVIDE THE UNIVERSITY SYSTEM WITH INFORMATION DETAILING THE

8 REASON THE PLAN WAS NOT ADOPTED.

9 (C) IF THE PLAN IS NOT ADOPTED PURSUANT TO SUBSECTION (2)(B)(II), THE MONTANA UNIVERSITY SYSTEM

10 HAS 60 DAYS TO RESPOND TO THE BUDGET DIRECTOR WITH AMENDMENTS TO THE PLAN. THE PROCESS IN SUBSECTION

11 (2)(B) WILL THEN BE REPEATED UNTIL PLAN ADOPTION OR THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF

12 ADMINISTRATION TO TERMINATE THE PLAN DEVELOPMENT EFFORT.

13 (D) IF THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF ADMINISTRATION TO TERMINATE THE PLAN

14 DEVELOPMENT EFFORT, THE APPROPRIATION FOR CAPITAL DEVELOPMENT FUNDS IN SUBSECTION (1) WILL REVERT TO

15 THE CAPITAL DEVELOPMENT FUND AND THE APPROPRIATION FOR AUTHORITY IN SUBSECTION (1) WILL REVERT TO ITS

16 ORIGINATING SOURCE.

17 (3) (A) PURSUANT TO 17-7-210, IF CONSTRUCTION OF A NEW FACILITY REQUIRES AN IMMEDIATE OR

18 FUTURE INCREASE IN STATE FUNDING FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE, THE LEGISLATURE

19 MAY NOT AUTHORIZE THE NEW FACILITY UNLESS IT ALSO APPROPRIATES FUNDS FOR THE INCREASE IN STATE FUNDING

20 FOR PROGRAM EXPANSION AND OPERATIONS AND MAINTENANCE. TO THE EXTENT ALLOWED BY LAW, AT THE END OF

21 EACH FISCAL YEAR FOLLOWING APPROVAL OF A NEW FACILITY BUT PRIOR TO RECEIPT OF ITS CERTIFICATE OF

22 OCCUPANCY, THE APPROPRIATION MADE IN THIS SUBSECTION (3) REVERTS TO ITS ORIGINATING FUND. THE

23 APPROPRIATION IS NOT SUBJECT TO THE PROVISIONS OF 17-7-304.

24 (B) IT IS THE LEGISLATURE'S INTENT THAT THE APPROPRIATIONS IN THIS SUBSECTION (3) BECOME PART OF

25 THE RESPECTIVE AGENCY'S BASE BUDGET FOR THE BIENNIUM BEGINNING JULY 1, 2025.

26 (C) FOR THE BIENNIUM BEGINNING JULY 1, 2023, \$1,540,000 OF GENERAL FUNDS ARE APPROPRIATED TO

27 THE MONTANA UNIVERSITY SYSTEM FOR THE GALLATIN COLLEGE FACILITY, PROVIDED THE CONDITIONS OF SUBSECTIONS

28 (1) AND (2) ARE MET.

1 (D) IF THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF ADMINISTRATION TO TERMINATE THE PLAN
2 DEVELOPMENT EFFORT UNDER THE PROVISIONS OF SUBSECTION (2)(C), THE APPROPRIATION OF GENERAL FUND FOR
3 PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE IS REVERTED TO THE GENERAL FUND AND WILL NOT BE
4 INCLUDED IN THE RESPECTIVE AGENCY'S BASE BUDGET.

5
6 **NEW SECTION. Section 17. DEFINITIONS.** FOR THE PURPOSES OF ~~[SECTIONS 16 THROUGH 23]~~ [SECTIONS
7 17 THROUGH 24], UNLESS OTHERWISE PROVIDED, THE FOLLOWING DEFINITIONS APPLY:

8 (1) "EMERGENCY SHELTER" MEANS ANY FACILITY, THE PRIMARY PURPOSE OF WHICH IS TO PROVIDE A
9 TEMPORARY SHELTER FOR THE HOMELESS IN GENERAL OR FOR SPECIFIC POPULATIONS OF THE HOMELESS AND WHICH
10 DOES NOT REQUIRE OCCUPANTS TO SIGN LEASES OR OCCUPANCY AGREEMENTS.

11 (2) "NONPROFIT CORPORATION" MEANS A DOMESTIC CORPORATION, AS DESIGNATED IN ACCORDANCE
12 WITH 35-2-126, THAT PROVIDES EMERGENCY SHELTER FOR THE HOMELESS.

13
14 **NEW SECTION. Section 18. EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT -- USE.** (1)
15 THERE IS WITHIN THE STATE SPECIAL REVENUE FUND PROVIDED FOR IN 17-2-102 AN ACCOUNT CALLED THE EMERGENCY
16 SHELTER FACILITY INFRASTRUCTURE ACCOUNT TO PROVIDE GRANT FUNDING TO NONPROFIT CORPORATIONS THAT
17 PROVIDE EMERGENCY SHELTER FOR THE HOMELESS AND FOR ADMINISTRATIVE COSTS RELATED TO ADMINISTERING THE
18 GRANTS. THE DEPARTMENT OF COMMERCE SHALL ADMINISTER THE ACCOUNT.

19 (2) UP TO 3% OF THE FUNDS APPROPRIATED IN ~~[SECTION 23]~~ [SECTION 24] MAY BE ALLOCATED FOR THE
20 DEPARTMENT'S ADMINISTRATIVE COSTS.

21
22 **NEW SECTION. Section 19. EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANTS AUTHORIZATION.**
23 (1) THE DEPARTMENT OF COMMERCE IS AUTHORIZED TO MAKE UP TO \$5 MILLION IN GRANTS TO NONPROFIT
24 CORPORATIONS FOR EMERGENCY SHELTER, PROPERTY ACQUISITION, CONSTRUCTION, SHELTER SPACE ACQUISITION, OR
25 GENERAL CAPITAL IMPROVEMENT PROJECTS. THE GRANTS AUTHORIZED IN THIS SECTION ARE SUBJECT TO THE
26 CONDITIONS SET FORTH IN ~~[SECTION 20]~~ [SECTION 21].

27 (2) THE DEPARTMENT OF COMMERCE MUST RECEIVE PROPOSALS FROM NONPROFIT CORPORATIONS FOR
28 EMERGENCY SHELTER FACILITY INFRASTRUCTURE PROJECTS.

1 (3) FUNDING FOR PROJECTS MAY BE PROVIDED ONLY AS LONG AS THERE ARE SUFFICIENT FUNDS
2 AVAILABLE FROM THE AMOUNT THAT WAS DEPOSITED OR TRANSFERRED INTO THE EMERGENCY SHELTER FACILITY
3 INFRASTRUCTURE ACCOUNT FOR GRANTS ESTABLISHED IN ~~[SECTION 17(1)] [SECTION 18(1)]~~. FUNDING FOR THESE
4 PROJECTS MUST BE MADE AVAILABLE IN THE ORDER THAT THE GRANT RECIPIENTS SATISFY THE CONDITIONS DESCRIBED
5 IN ~~[SECTION 20] [SECTION 21]~~.

6
7 NEW SECTION. Section 20. ELIGIBILITY -- SUBMISSION DEADLINE -- PRIORITY -- RULEMAKING AUTHORITY.

8 (1) A NONPROFIT CORPORATION MAY APPLY TO THE DEPARTMENT OF COMMERCE FOR EMERGENCY SHELTER FACILITY
9 INFRASTRUCTURE GRANTS UNDER ~~[SECTION 18] [SECTION 19]~~.

10 (2) NONPROFIT CORPORATIONS SHALL SUBMIT GRANT APPLICATIONS TO THE DEPARTMENT IN ORDER TO
11 BE ELIGIBLE FOR FUNDING UNDER ~~[SECTION 18] [SECTION 19]~~.

12 (3) THE DEPARTMENT IS AUTHORIZED TO ADOPT RULES OR GUIDELINES NECESSARY TO IMPLEMENT
13 ~~[SECTIONS 16 THROUGH 23] [SECTIONS 17 THROUGH 24]~~.

14
15 NEW SECTION. Section 21. CONDITION OF GRANTS -- DISBURSEMENT OF FUNDS. (1) THE DISBURSEMENT
16 OF GRANT FUNDS FOR THE PROJECTS CHOSEN BY THE DEPARTMENT OF COMMERCE PURSUANT TO ~~[SECTION 18]~~
17 ~~[SECTION 19]~~ IS SUBJECT TO COMPLETION OF THE FOLLOWING CONDITIONS:

18 (A) FOR GRANTS IN AN AMOUNT OF \$25,000 OR MORE, THE GRANT RECIPIENT SHALL DOCUMENT THE
19 AVAILABILITY OF MATCHING FUNDS OR IN-KIND CONTRIBUTIONS OF ASSETS WITH AN APPRAISED VALUE FROM PRIVATE
20 SOURCES REPRESENTING AT LEAST \$1 IN VALUE FOR EACH \$1 OF THE GRANT.

21 (B) THE GRANT RECIPIENT SHALL EXECUTE A GRANT AGREEMENT WITH THE DEPARTMENT OF COMMERCE
22 THAT INCLUDES A PROJECT MANAGEMENT PLAN AND REPORTING REQUIREMENTS TO TRACK THE OUTCOMES OF
23 ALLOCATED GRANTS.

24 (C) THE GRANT RECIPIENT SHALL SATISFY OTHER SPECIFIC REQUIREMENTS CONSIDERED NECESSARY BY
25 THE DEPARTMENT OF COMMERCE TO ACCOMPLISH THE PURPOSE OF THE PROJECT AS EVIDENCED BY THE APPLICATION
26 TO THE DEPARTMENT.

27 (2) PROJECTS MUST ADHERE TO THE DESIGN STANDARDS REQUIRED BY APPLICABLE REGULATORY
28 AGENCIES. RECIPIENTS OF PROGRAM FUNDS FOR PROJECTS THAT ARE NOT SUBJECT TO ANY DESIGN STANDARDS MUST

1 COMPLY WITH GENERALLY ACCEPTED INDUSTRY STANDARDS.

2 (3) IF ACTUAL PROJECT EXPENSES ARE LOWER THAN THE PROJECTED EXPENSE OF THE PROJECT, THE
3 DEPARTMENT SHALL REDUCE THE AMOUNT OF GRANT FUNDS TO BE PROVIDED TO GRANT RECIPIENTS.

4
5 NEW SECTION. Section 22. MAXIMUM STATE FUNDING AVAILABLE -- PER PROJECT -- PER COUNTY. (1)

6 THE MAXIMUM AMOUNT OF STATE FUNDING ALLOCATED TO ENTITIES WITHIN ANY INDIVIDUAL COUNTY UNDER [SECTIONS
7 16 THROUGH 23] [SECTIONS 17 THROUGH 24] MAY NOT EXCEED \$750,000.

8 (2) IF TOTAL APPLICATIONS WITHIN A SPECIFIC JURISDICTION EXCEED THE MAXIMUM AMOUNT ALLOWED,
9 THE DEPARTMENT SHALL INCLUDE INPUT FROM LOCAL ELECTED OFFICIALS IN THEIR RANKING CRITERIA FOR THOSE
10 APPLICATIONS.

11
12 NEW SECTION. Section 23. TRANSFER OF FUNDS. BY JULY 1, 2023, THE STATE TREASURER SHALL
13 TRANSFER \$5 MILLION FROM THE GENERAL FUND TO THE EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT
14 ESTABLISHED IN [SECTION 17] [SECTION 18].

15
16 NEW SECTION. Section 24. APPROPRIATION. THERE IS APPROPRIATED \$5 MILLION FOR THE BIENNIUM
17 BEGINNING JULY 1, 2023, FROM THE EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT ESTABLISHED IN
18 [SECTION 17] [SECTION 18] TO THE DEPARTMENT OF COMMERCE FOR GRANTS AS AUTHORIZED IN [SECTIONS 16
19 THROUGH 23] [SECTIONS 17 THROUGH 24].

20
21 NEW SECTION. Section 25. MONTANA PUBLIC SAFETY DEVELOPMENT CENTER STATE SPECIAL REVENUE
22 ACCOUNT. (1) THERE IS A MONTANA PUBLIC SAFETY DEVELOPMENT CENTER ACCOUNT IN THE STATE SPECIAL REVENUE
23 FUND TO BE ADMINISTERED BY THE DEPARTMENT OF MILITARY AFFAIRS.

24 (2) THE PURPOSE OF THE ACCOUNT IS TO PROVIDE FUNDING FOR SUSTAINMENT OF THE MONTANA PUBLIC
25 SAFETY DEVELOPMENT CENTER.

26 (3) THERE MUST BE DEPOSITED IN THE ACCOUNT:

27 (A) ANY REVENUE GENERATED BY USE OF THE FACILITY, INCLUDING:

28 (i) CLASSROOM RENTAL;

- 1 (II) PROPERTY RENTAL;
- 2 (III) SITE TRAINING PACKAGES; AND
- 3 (IV) MONTANA PUBLIC SAFETY DEVELOPMENT CENTER MEMBERSHIPS;
- 4 (B) ANY LEGISLATIVE APPROPRIATIONS FOR OPERATIONS AND MAINTENANCE; AND
- 5 (C) GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF SUPPORTING THE MONTANA PUBLIC SAFETY
- 6 DEVELOPMENT CENTER.

7

8 **NEW SECTION. Section 26. CAPITAL DEVELOPMENT PROJECT APPROPRIATIONS AND AUTHORIZATION. (1)**

9 THERE IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION \$5 MILLION OF CAPITAL DEVELOPMENT FUNDS AND

10 \$5 MILLION OF FEDERAL SPECIAL REVENUE FOR THE BIENNIUM BEGINNING JULY 1, 2023, FOR CONSTRUCTION OF A

11 FACILITY FOR THE DEPARTMENT OF MILITARY AFFAIRS MONTANA PUBLIC SAFETY DEVELOPMENT CENTER, CONTINGENT

12 ON THE FOLLOWING:

13 (A) THE FORMATION OF A STEERING COMMITTEE TO DECIDE THE PRIORITIES OF THE MONTANA PUBLIC

14 SAFETY DEVELOPMENT CENTER. THE COMMITTEE WILL BE MADE UP OF A REPRESENTATIVE FROM EACH OF THE

15 FOLLOWING:

- 16 (I) MONTANA FIRE CHIEFS ASSOCIATION;
- 17 (II) MONTANA SHERIFFS AND PEACE OFFICERS ASSOCIATION;
- 18 (III) DEPARTMENT OF MILITARY AFFAIRS, DIVISION OF DISASTER AND EMERGENCY SERVICES, WHO SERVES
- 19 AS THE COMMITTEE CHAIR;

- 20 (IV) COUNTY ATTORNEY OFFICE; AND
- 21 (V) MONTANA REFINERY REPRESENTATIVE.

22 (B) THE BUDGET DIRECTOR SHALL ADOPT A PLAN FOR THE DEVELOPMENT AND OPERATIONS OF THE

23 MONTANA PUBLIC SAFETY DEVELOPMENT CENTER.

24 (C) PLAN DEVELOPMENT, DELIVERY, AND ADOPTION MUST BE COORDINATED THROUGH THE DEPARTMENT

25 OF ADMINISTRATION. ALL PLAN DEVELOPMENT EFFORTS, CONTENT, AND COSTS ARE THE RESPONSIBILITY OF THE

26 DEPARTMENT OF MILITARY AFFAIRS AND THE STEERING COMMITTEE CREATED UNDER SUBSECTION (1)(A).

27 (D) THE PLAN MUST BE SUBMITTED TO THE LEGISLATIVE FISCAL ANALYST. THE DOCUMENTS MUST BE

28 PROVIDED IN A DIGITAL FORMAT AND MUST BE DISTRIBUTED BY THE LEGISLATIVE FISCAL ANALYST TO LEGISLATIVE

Amendment - 1st Reading/2nd House-blue - Requested by: (S) Finance and Claims

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.003.025

1 FINANCE COMMITTEE WITHIN 90 DAYS OF RECEIPT OF THE PLAN DOCUMENTS. THE DEPARTMENT OF MILITARY AFFAIRS
2 SHALL MAKE A PRESENTATION OF THE FINAL PLAN DOCUMENTS TO THE MEMBERS OF THE LEGISLATIVE FINANCE
3 COMMITTEE.

4 (2) (A) PURSUANT TO 17-7-210, IF CONSTRUCTION OF A NEW FACILITY REQUIRES AN IMMEDIATE OR
5 FUTURE INCREASE IN STATE FUNDING FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE, THE LEGISLATURE
6 MAY NOT AUTHORIZE THE NEW FACILITY UNLESS IT ALSO APPROPRIATES FUNDS FOR THE INCREASE IN STATE FUNDING
7 FOR PROGRAM EXPANSION AND OPERATIONS AND MAINTENANCE. TO THE EXTENT ALLOWED BY LAW, AT THE END OF
8 EACH FISCAL YEAR FOLLOWING APPROVAL OF A NEW FACILITY BUT PRIOR TO RECEIPT OF ITS CERTIFICATE OF
9 OCCUPANCY, THE APPROPRIATION MADE IN THIS SUBSECTION (2) REVERTS TO ITS ORIGINATING FUND. THE
10 APPROPRIATION IS NOT SUBJECT TO THE PROVISIONS OF 17-7-304.

11 (B) IT IS THE LEGISLATURE'S INTENT THAT THE APPROPRIATIONS IN THIS SUBSECTION (2) BECOME PART OF
12 THE DEPARTMENT OF MILITARY AFFAIRS' BASE BUDGET FOR THE BIENNIUM BEGINNING JULY 1, 2025.

13 (C) THERE IS APPROPRIATED \$360,000 FROM THE GENERAL FUND AND \$400,000 FROM THE STATE
14 SPECIAL REVENUE ACCOUNT ESTABLISHED IN [SECTION 24] [SECTION 25] FOR THE BIENNIUM BEGINNING JULY 1, 2025,
15 TO THE DEPARTMENT OF MILITARY AFFAIRS FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE FOR THE
16 MONTANA PUBLIC SAFETY DEVELOPMENT CENTER.

17
18 NEW SECTION. Section 27. APPROPRIATION. FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, THERE IS
19 APPROPRIATED \$7,169,257 FROM GENERAL FUND TO THE DEPARTMENT OF CORRECTIONS TO INCREASE PROVIDER
20 RATES TO ALLOW FOR THE CONSTRUCTION OF A SPECIAL SERVICES FACILITY.

21
22 Section 28. SECTION 2, CHAPTER 461, LAWS OF 2021, IS AMENDED TO READ:

23 Section 2. Major repair projects appropriations and authorizations. The portion of section 2(1),
24 Chapter 461, Laws of 2021, appropriating money from the major repair account to the department of
25 administration for the indicated major repair project is amended to read:

26 "MSU BLGS Art Annex Safety and System Upgrades Demolition

27 1,200,000 500,000

1,200,000 500,000"

28

1 NEW SECTION. Section 29. Severability. If a part of [this act] is invalid, all valid parts that are
2 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
3 the part remains in effect in all valid applications that are severable from the invalid applications.
4

5 **Section 30.** Section 1, Chapter 468, Laws of 2021, is amended to read:

6 **Section 1. Authorizations of and appropriations for capital projects.** The portion of section
7 1(4)(c), Chapter 468, Laws of 2021, appropriating money from the general fund to the Montana university
8 system for program expansion or operations and maintenance for the indicated new facility is amended to read:

9 "Montana University System

10 UM Forestry Conservation & Science Lab \$798,659 from the general fund

11 MAES Research and Wool Laboratories \$389,402 ~~\$305,298~~ from the general fund"
12

13 COORDINATION SECTION. Section 31. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 839 IS NOT
14 PASSED AND APPROVED, THEN ~~[SECTIONS 24 AND 25 OF THIS ACT]~~ ~~[SECTIONS 25 AND 26 OF THIS ACT]~~ ARE VOID.
15

16 NEW SECTION. Section 32. Effective date. [This act] is effective on passage and approval.
17

18 NEW SECTION. Section 33. TERMINATION. ~~[SECTION 12]~~~~[Section 13]~~ TERMINATES JUNE 30, 2025.
19

- END -