- 2023

68th Legislature 2023 Drafter: Katy Callon, 406-444-4421 HB0005.001.029

1	HOUSE BILL NO. 5				
2	INTRODUCED BY M. HOPKINS, J. FITZPATRICK				
3	BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING				
4					
5	A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL				
6	DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2025; PROVIDING FOR OTHER				
7	MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE				
8	CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT TO THE MAJOR REPAIR				
9	LONG-RANGE BUILDING PROGRAM ACCOUNT AND FOR A TRANSFER OF FUNDS FROM THE STATE				
10	GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT;				
11	AMENDING THE DEFINITION OF AN LRBP-ELIGIBLE BUILDING; AMENDING SECTION 17-7-201, MCA;				
12	AMENDING SECTION 1(4), CHAPTER 468, LAWS OF 2021; AND PROVIDING AN IMMEDIATE EFFECTIVE				
13	DATE."				
14					
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:				
16					
17	NEW SECTION. Section 1. Definitions. As used in [sections 1 through 10], unless the context				
18	clearly indicates otherwise, the following definitions apply:				
19	(1) "Authority only" means approval provided by the legislature to expend money that does not				
20	require an appropriation, including grants, donations, auxiliary funds, proprietary funds, nonstate funds, and				
21	university funds.				
22	(2) "Capital development" means capital projects provided for in 17-7-201(2).				
23	(3) "Capital project" means the planning, design, renovation, construction, alteration, replacement				
24	furnishing, repair, improvement, site, utility, or land acquisition project provided for in [sections 1 through 10].				
25	(4) "LRBP capital development" means the long-range building program capital developments				
26	account in the capital projects fund type provided for in 17-7-209.				
27	(5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair				
28	account in the capital projects fund type provided for in 17-7-221.				



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42,671 1 42,671

2 (d) After receipt of a certificate of occupancy, funding appropriated in subsection (3)(c) to the

Montana university system Wool Lab and in section 1(4)(c), Ch. 468, L. 2021, to the department of agriculture

4 Ag Analytical Lab shall be transferred each biennium to the department of livestock.

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

11	Agency/Project	State	Federal	Authority	Total
12		Special	Special	Only	
13		Revenue	Revenue	Source	
14	FWP Statewide Admin	Facilities Major	Maintenance		
15		1,931,500		5,000,000	6,931,500
16	FWP Signage & Wayfir	nding Updates			
17		2,500,000			2,500,000
18	FWP Erosion Control				
19		2,673,000			2,673,000
20	FWP Community Pond	s			
21		200,000			200,000
22	FWP Forest Manageme	ent			
23		100,000	300,000		400,000
24	FWP Site Maintenance Upgrades & Improvements				
25		4,572,450	1,770,750	1,193,000	7,536,200
26	FWP Shooting Range I	Development			
27		1,000,000	3,000,000		4,000,000
28	FWP Wildlife Habitat In	nprovement Pro	gram Renewal		



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1			2,000,000		2,000,000
2	FWP Wildlife Habitat N	lanagement & l	Maintenance		
3		1,140,000	2,765,000		3,905,000
4	FWP Upland Game Bi	rd Enhancemer	nt Program		
5		1,908,000	600,000		2,508,000
6	FWP Migratory Bird W	etland Program			
7		500,000			500,000
8	FWP Future Fisheries				
9		2,000,000			2,000,000
10	FWP Hatcheries Maint	enance			
11		2,000,000			2,000,000
12	FWP POR Grant Progr	rams			
13		5,000,000	6,000,000		11,000,000
14	FWP Fish Connectivity	4			
					4.00=.000
15		548,454	1,278,992	140,234	1,967,680
15 16	FWP PALA Access Pro	,	1,278,992	140,234	1,967,680
	FWP PALA Access Pro	,	1,278,992	140,234	1,967,680 1,000,000
16		ogram 1,000,000		140,234 rtment of fish, wildlife, a	1,000,000
 16 17		ogram 1,000,000 ng money is ap	propriated to the depar	rtment of fish, wildlife, a	1,000,000 and parks in the
16 17 18	(2) (a) The followi	ogram 1,000,000 ng money is ap ose of making o	propriated to the depar capital improvements to	rtment of fish, wildlife, a o statewide facilities co	1,000,000 and parks in the ntingent on the use
16 17 18 19	(2) (a) The following indicated amounts for the purp	ogram 1,000,000 ng money is apose of making outhority granted	propriated to the depar capital improvements to I in prior legislative ses	rtment of fish, wildlife, as statewide facilities co	1,000,000 and parks in the ntingent on the use bsection (2)(b).
16 17 18 19 20	(2) (a) The following indicated amounts for the purportion of unexpended appropriation and appropriation appropriation and appropriation appropriati	ogram 1,000,000 ng money is ap ose of making of the ority granted appropriation a	propriated to the departation of the departation of the departments to the prior legislative session of the purpose included for the purpose to the purpose	rtment of fish, wildlife, as statewide facilities consistency as set forth in successions as set forth. The consecution is a set of authorization.	1,000,000 and parks in the ntingent on the use bsection (2)(b). The department of
16 17 18 19 20 21	(2) (a) The following indicated amounts for the purpose of unexpended appropriation a funds not requiring legislative	ogram 1,000,000 ng money is ap ose of making of the ority granted appropriation a	propriated to the departation of the departation of the departments to the prior legislative session of the purpose included for the purpose to the purpose	rtment of fish, wildlife, as statewide facilities consistency as set forth in successions as set forth. The consecution is a set of authorization.	1,000,000 and parks in the ntingent on the use bsection (2)(b). The department of
16 17 18 19 20 21 22	(2) (a) The following indicated amounts for the purpose of unexpended appropriation a Funds not requiring legislative fish, wildlife, and parks is authorized.	ogram 1,000,000 ng money is ap ose of making of the ority granted appropriation a	propriated to the departation of the departation of the departments to the prior legislative session of the purpose included for the purpose to the purpose	rtment of fish, wildlife, as statewide facilities consistency as set forth in successions as set forth. The consecution is a set of authorization.	1,000,000 and parks in the ntingent on the use bsection (2)(b). The department of
16 17 18 19 20 21 22 23	(2) (a) The following indicated amounts for the purpose of unexpended appropriation as Funds not requiring legislative fish, wildlife, and parks is authory types for these projects:	ogram 1,000,000 ng money is ap ose of making of uthority granted appropriation a orized to transfer	propriated to the departure of the departure of the departure of the purpose of the appropriations, a	rtment of fish, wildlife, as a statewide facilities consisions as set forth in suppose of authorization. The other in the other interests of authorization and other interests.	1,000,000 and parks in the ntingent on the use bsection (2)(b). The department of the necessary fund
16 17 18 19 20 21 22 23 24	(2) (a) The following indicated amounts for the purpose of unexpended appropriation as Funds not requiring legislative fish, wildlife, and parks is authory types for these projects:	ogram 1,000,000 ng money is ap ose of making of uthority granted appropriation a orized to transfe	propriated to the departation of the departation of the departments to the propriet in prior legislative session of the purport of the appropriations, and the department of t	rtment of fish, wildlife, as a statewide facilities consistency as set forth in successions as set forth in successions at authorization. The state of authority authority authority.	1,000,000 and parks in the ntingent on the use bsection (2)(b). The department of the necessary fund
16 17 18 19 20 21 22 23 24 25	(2) (a) The following indicated amounts for the purpose of unexpended appropriation as Funds not requiring legislative fish, wildlife, and parks is authory types for these projects:	ogram 1,000,000 ng money is ap ose of making of uthority granted appropriation a orized to transfer State Special Revenue	propriated to the departure capital improvements to din prior legislative sessore included for the purport the appropriations, at the appropriations, at Federal Special Revenue	rtment of fish, wildlife, as a statewide facilities consisions as set forth in successions as set forth in successions at authorization. The state of authorization are set forth among the state of the	1,000,000 and parks in the ntingent on the use bsection (2)(b). The department of the necessary fund



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1	FWP Upland Game Bird Enhancement Program					
2	1	,908,000	600,000		2,508,000	
3	FWP Migratory Bird Wetland Program					
4	5	00,000			500,000	
5	FWP Future Fisheries					
6	2	,000,000			2,000,000	
7	FWP Hatcheries Maintena	ance .				
8	2	,000,000			2,000,000	
9	FWP Fish Connectivity					
10	5	48,454	1,278,992	140,234	1,967,680	
11	(b) For every \$100,00	00 of appropri	ation authority fro	om prior legislative sessions ex	pended by the	
12	department for the projects identifi	ed in subsect	tion (2)(a), the de	epartment of fish, wildlife, and pa	arks is	
13	appropriated \$100,000 from the ap	opropriations	made in (2)(a). T	he department shall expend pri	or appropriation	
14	authority in this manner until all prior appropriation authority from prior legislative sessions for these projects					
15	have been expended. The department shall provide documentation to the office of budget and program					
16	planning for every \$100,000 of appropriation authority from prior legislative sessions expended.					
17	(c) The department o	f fish, wildlife,	and parks shall	provide a report of expenditure	of funds for the	
18	projects authorized in prior legislat	tive sessions	and expenditure	of the funds appropriated in sub	osection (2)(a)	
19	on a quarterly basis to the legislati	ve fiscal anal	yst and to the go	vernor. The report must be prov	<u>vided in a digital</u>	
20	format and must be distributed by	the legislative	e fiscal analyst to	the legislative finance committee	<u>ee.</u>	
21	(2)(3) Authority is granted to the Montana university system for the purpose of making capital				ı capital	
22	improvements to campus facilities statewide. Use of authority-only funds may be allocated at not more than				t more than	
23	\$2,500,000 per project and a project may not be segregated to circumvent this limitation. All costs for the				sts for the	
24	operations and maintenance of any improvements constructed under this authorization must be paid by the					
25	Montana university system from nonstate sources:					
26	Agency/Project S	tate	Federal	Authority	Total	
27	S	pecial	Special	Only		
28	R	evenue	Revenue	Sources		



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1	General Spending Authority, MUS			20,000,000	20,000,000
2	(3)(4) The following money is appropriated to the department of military affairs in the indicated				
3	amount for the purpose of making capital improvements to statewide facilities. All costs for the operation and				
4	maintenance of any improvements constructed with these funds must be paid by the department of military				
5	affairs from nonstate sources:				
6	Agency/Project	State	Federal	Authority	Total
7		Special	Special	Only	
8		Revenue	Revenue	Sources	
9	DMA Federal Spendin	g Authority	3,000,000		3,000,000
10	$\frac{(4)(5)}{(5)}$ The following	money is approp	oriated to the de	partment of transportation	on in the indicated
11	amount for the purpose of make	king capital impr	ovements to sta	tewide facilities as indica	ated:
12	Agency/Project	State	Federal	Authority	Total
13		Special	Special	Only	
14		Revenue	Revenue	Sources	
15	MDT Maintenance, Repair, and Small Projects				
16		3,000,000			3,000,000
17	(5)(6) The following money is appropriated to the department of environmental quality in the indicate				tal quality in the indicated
18	amount from state building energy conservation funds for the purposes of making capital improvements, and is				ital improvements, and is
19	authorized to transfer the appr	opriation, author	rity, or both amo	ong the necessary fund t	ypes.
20	Agency/Project	State	Federal	Authority	Total
21		Special	Special	Only	
22		Revenue	Revenue	Sources	
23	DEQ Energy Improver	ments, Statewide	е	3,700,000	3,700,000
24					
25	NEW SECTION. Sect	ion 5. Land ac	equisition appr	opriations. The followin	ng money is appropriated
26	to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land				and acquisition, land
27	leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is				
28	authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:				

