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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; AMENDING THE DEFINITION OF AN LRBP-ELIGIBLE BUILDING; AMENDING SECTION 17-7-201, MCA; AMENDING SECTION 1(4), CHAPTER 468, LAWS OF 2021; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Definitions. As used in [sections 1 through 10], 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].
- (4) "LRBP capital development" means the long-range building program capital developments account in the capital projects fund type provided for in 17-7-209.
- (5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair account in the capital projects fund type provided for in 17-7-221.

Amendment - 1st Reading-white - Requested by: John Fitzpatrick - (H) Appropriations

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.001.029

1 42,671 42,671

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

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

Agency/Project	State	Federal	Authority	Total
	Special	Special	Only	
	Revenue	Revenue	Source	
FWP Statewide Admin Facilities Major Maintenance				
	1,931,500		5,000,000	6,931,500
FWP Signage & Wayfinding Updates				
	2,500,000			2,500,000
FWP Erosion Control				
	2,673,000			2,673,000
FWP Community Ponds				
	200,000			200,000
FWP Forest Management				
	100,000	300,000		400,000
FWP Site Maintenance Upgrades & Improvements				
	4,572,450	1,770,750	1,193,000	7,536,200
FWP Shooting Range Development				
	1,000,000	3,000,000		4,000,000
FWP Wildlife Habitat Improvement Program Renewal				

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HB0005.001.029

1		2,000,000		2,000,000
2	FWP Wildlife Habitat Management & Maintenance			
3	_____	1,140,000	2,765,000	3,905,000
4	FWP Upland Game Bird Enhancement Program			
5	_____	1,908,000	600,000	2,508,000
6	FWP Migratory Bird Wetland Program			
7	_____	500,000		500,000
8	FWP Future Fisheries			
9	_____	2,000,000		2,000,000
10	FWP Hatcheries Maintenance			
11	_____	2,000,000		2,000,000
12	FWP POR Grant Programs			
13		5,000,000	6,000,000	11,000,000
14	FWP Fish Connectivity			
15	_____	548,454	1,278,992	140,234
16	FWP PALA Access Program			
17		1,000,000		1,000,000
18	<u>(2) (a) The following money is appropriated to the department of fish, wildlife, and parks in the</u>			
19	<u>indicated amounts for the purpose of making capital improvements to statewide facilities contingent on the use</u>			
20	<u>of unexpended appropriation authority granted in prior legislative sessions as set forth in subsection (2)(b).</u>			
21	<u>Funds not requiring legislative appropriation are included for the purpose of authorization. The department of</u>			
22	<u>fish, wildlife, and parks is authorized to transfer the appropriations, authority, or both among the necessary fund</u>			
23	<u>types for these projects:</u>			
24	<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>
25	<u>_____</u>	<u>Special</u>	<u>Special</u>	<u>Only</u>
26	<u>_____</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Source</u>
27	<u>FWP Wildlife Habitat Management & Maintenance</u>			
28	<u>_____</u>	<u>1,140,000</u>	<u>2,765,000</u>	<u>3,905,000</u>

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HB0005.001.029

1	<u>FWP Upland Game Bird Enhancement Program</u>			
2		1,908,000	600,000	2,508,000
3	<u>FWP Migratory Bird Wetland Program</u>			
4		500,000		500,000
5	<u>FWP Future Fisheries</u>			
6		2,000,000		2,000,000
7	<u>FWP Hatcheries Maintenance</u>			
8		2,000,000		2,000,000
9	<u>FWP Fish Connectivity</u>			
10		548,454	1,278,992	140,234
11				1,967,680

(b) For every \$100,000 of appropriation authority from prior legislative sessions expended by the department for the projects identified in subsection (2)(a), the department of fish, wildlife, and parks is appropriated \$100,000 from the appropriations made in (2)(a). The department shall expend prior appropriation authority in this manner until all prior appropriation authority from prior legislative sessions for these projects have been expended. The department shall provide documentation to the office of budget and program planning for every \$100,000 of appropriation authority from prior legislative sessions expended.

(c) The department of fish, wildlife, and parks shall provide a report of expenditure of funds for the projects authorized in prior legislative sessions and expenditure of the funds appropriated in subsection (2)(a) on a quarterly basis to the legislative fiscal analyst and to the governor. The report must be provided in a digital format and must be distributed by the legislative fiscal analyst to the legislative finance committee.

~~(2)~~(3) 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:

26	Agency/Project	State	Federal	Authority	Total
27		Special	Special	Only	
28		Revenue	Revenue	Sources	

