

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 PROVIDING FUNDING FOR RATE INCREASES TO ALLOW CONSTRUCTION; AMENDING THE
 12 DEFINITION OF AN LRBP-ELIGIBLE BUILDING; PROVIDING FOR AN EMERGENCY SHELTER FACILITY
 13 INFRASTRUCTURE GRANT PROGRAM AND CRITERIA; PROVIDING RULEMAKING AUTHORITY;
 14 AMENDING SECTION SECTIONS 17-7-201, AND 75-11-313, MCA; AMENDING SECTION 1(4), CHAPTER
 15 468, LAWS OF 2021, AND SECTION 2(1), CHAPTER 461, LAWS OF 2021; AND PROVIDING AN
 16 IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

17
18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

19
20 NEW SECTION. Section 1. Definitions. As used in [sections 1 through ~~4011~~], unless the context
21 clearly indicates otherwise, the following definitions apply:

22 (1) "Authority only" means approval provided by the legislature to expend money that does not
23 require an appropriation, including grants, donations, auxiliary funds, proprietary funds, nonstate funds, and
24 university funds.

25 (2) "Capital development" means capital projects provided for in 17-7-201(2).

26 (3) "Capital project" means the planning, design, renovation, construction, alteration, replacement,
27 furnishing, repair, improvement, site, utility, or land acquisition project provided for in ~~[sections 1 through 10]~~
28 [SECTIONS 1 THROUGH 11].

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NEW SECTION. Section 5. 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:

Agency/Project	State Special Revenue	Federal Special Revenue	Authority Only Source	Total
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
	<u>1,250,000</u>			<u>1,250,000</u>
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		2,000,000		2,000,000
FWP Wildlife Habitat Management & Maintenance	1,140,000	2,765,000		3,905,000

Amendment - 2nd Reading-yellow - Requested by: Paul Tuss - (H) Committee of the Whole

- 2023

68th Legislature 2023

Drafter: Katy Callon, 406-444-4421

HB0005.002.001

1	FWP Upland Game Bird Enhancement Program			
2		1,908,000	600,000	2,508,000
3	FWP Migratory Bird Wetland Program			
4		500,000		500,000
5	FWP Future Fisheries			
6		2,000,000		2,000,000
7	FWP Hatcheries Maintenance			
8		2,000,000		2,000,000
9	FWP POR Grant Programs			
10		5,000,000	6,000,000	11,000,000
11	FWP Fish Connectivity			
12		548,454	1,278,992	1,967,680
13	FWP PALA Access Program			
14		1,000,000		1,000,000

15 (2) Authority is granted to the Montana university system for the purpose of making capital
 16 improvements to campus facilities statewide. Use of authority-only funds may be allocated at not more than
 17 \$2,500,000 per project and a project may not be segregated to circumvent this limitation. All costs for the
 18 operations and maintenance of any improvements constructed under this authorization must be paid by the
 19 Montana university system from nonstate sources:

20	Agency/Project	State	Federal	Authority	Total
21		Special	Special	Only	
22		Revenue	Revenue	Sources	
23	General Spending Authority, MUS			20,000,000	20,000,000

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

28	Agency/Project	State	Federal	Authority	Total
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1	Special	Special	Only	
2	Revenue	Revenue	Sources	
3	DMA Federal Spending Authority	3,000,000		3,000,000

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

6	Agency/Project	State	Federal	Authority	Total
7		Special	Special	Only	
8		Revenue	Revenue	Sources	
9	MDT Maintenance, Repair, and Small Projects				
10		3,000,000			3,000,000

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

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

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

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	<u>CHIPPEWA CREE CULTURAL CEREMONY BUILDING REPAIR</u>				<u>1,000,000</u>	<u>1,000,000</u>
24	<u>CHIPPEWA CREE LANGUAGE IMMERSION SCHOOL</u>				<u>1,000,000</u>	<u>1,000,000</u>

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

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

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

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

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

<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>	
<u>CITY OF MISSOULA RIVERFRONT TRAIL PUBLIC PLAZA</u>				<u>250,000</u>	<u>250,000</u>

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

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

<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>	
<u>DEPARTMENT OF REVENUE/MINERAL COUNTY STATE LINE SURVEY</u>				<u>76,000</u>	<u>76,000</u>

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

22 (10) The following money is appropriated to the department of environmental quality in the indicated
 23 amounts for grants that reduce exposure to lead in drinking water at school facilities:

<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>	
<u>DEQ School Lead Remediation</u>					
	<u>3,700,000</u>				<u>3,700,000</u>

State special revenues consist of funds from the account established in 75-11-313.

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

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

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

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

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

(b) the scope of the project is substantially altered or revised from the concept and intent for that project as presented to the 68th legislature.

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

NEW SECTION. Section 9. Review by department of environmental quality. The department of

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

9
 10 **NEW SECTION. Section 10. Legislative consent.** The appropriations authorized in [sections 4
 11 through 8] ~~[SECTIONS 1 THROUGH 26]~~ [sections 1 through 27] constitute legislative consent for the capital projects
 12 contained in [sections 1 through 8] ~~[SECTIONS 1 THROUGH 26]~~ [sections 1 through 27] within the meaning of 18-2-
 13 102.

14
 15 **NEW SECTION. Section 11. Increase in state funding for program expansion or operations and**
 16 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and
 17 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 68th
 18 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

19
 20 **Section 12.** Section 75-11-313, MCA, is amended to read:

21 **"75-11-313. Petroleum tank release cleanup fund.** (1) There is a petroleum tank release cleanup
 22 fund in the state special revenue fund established in 17-2-102. The fund is administered as a revolving fund by
 23 the board and is statutorily appropriated, as provided in 17-7-502, for the purposes provided for under
 24 subsections (3)(c) and (3)(d). Administrative costs under subsections (3)(a) and (3)(b) must be paid pursuant to
 25 a legislative appropriation.

26 (2) There is deposited in the fund:

27 (a) all revenue from the petroleum storage tank cleanup fee as provided in 75-11-314;

28 (b) money received by the board in the form of gifts, grants, reimbursements, or appropriations,

1 from any source, intended to be used for the purposes of this fund;

2 (c) money appropriated or advanced to the fund by the legislature;

3 (d) money loaned to the board by the board of investments; and

4 (e) all interest earned on money in the fund.

5 (3) As provided in 75-11-318, the fund may be used only:

6 (a) to administer this part, including payment of board expenses associated with administration;

7 (b) to pay the actual and necessary department expenses associated with administration;

8 (c) to reimburse owners and operators for eligible costs caused by a release from a petroleum

9 storage tank and approved by the board; ~~and~~

10 (d) for repayment of any advance and any loan made pursuant to 17-6-225, plus interest earned

11 on the advance or loan; ~~and~~

12 (e) for lead remediation in school districts.

13 (4) Whenever the board accepts a loan from the board of investments pursuant to 17-6-225, the

14 receipts from the fees provided for in 75-11-314 in each fiscal year until the loan is repaid are pledged and

15 dedicated for the repayment of the loan in an amount sufficient to meet the repayment obligation for that fiscal

16 year."

NEW SECTION. Section 13. Transfer of funds. By August 15, 2023, the department of

administration shall make the following transfers:

(1) \$41,420,091 from the capital developments long-range building program account established in 17-7-209 to the major repair long-range building program account established in 17-7-221.

~~(2) \$2,000,000 FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT ESTABLISHED IN 17-7-209 TO THE CAPITOL PROJECTS LAND GRANT FUND PROVIDED FOR IN 18-2-107.~~

~~(2) \$113,000,000 from the general fund to the capital developments long-range building program account established in 17-7-209.~~

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

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

1 (2)(B) WILL THEN BE REPEATED UNTIL PLAN ADOPTION OR THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF
2 ADMINISTRATION TO TERMINATE THE PLAN DEVELOPMENT EFFORT.

3 (D) IF THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF ADMINISTRATION TO TERMINATE THE PLAN
4 DEVELOPMENT EFFORT, THE APPROPRIATION FOR CAPITAL DEVELOPMENT FUNDS IN SUBSECTION (1) WILL REVERT TO
5 THE CAPITAL DEVELOPMENT FUND AND THE APPROPRIATION FOR AUTHORITY IN SUBSECTION (1) WILL REVERT TO ITS
6 ORIGINATING SOURCE.

7 (3) (A) PURSUANT TO 17-7-210, IF CONSTRUCTION OF A NEW FACILITY REQUIRES AN IMMEDIATE OR
8 FUTURE INCREASE IN STATE FUNDING FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE, THE LEGISLATURE
9 MAY NOT AUTHORIZE THE NEW FACILITY UNLESS IT ALSO APPROPRIATES FUNDS FOR THE INCREASE IN STATE FUNDING
10 FOR PROGRAM EXPANSION AND OPERATIONS AND MAINTENANCE. TO THE EXTENT ALLOWED BY LAW, AT THE END OF
11 EACH FISCAL YEAR FOLLOWING APPROVAL OF A NEW FACILITY BUT PRIOR TO RECEIPT OF ITS CERTIFICATE OF
12 OCCUPANCY, THE APPROPRIATION MADE IN THIS SUBSECTION (3) REVERTS TO ITS ORIGINATING FUND. THE
13 APPROPRIATION IS NOT SUBJECT TO THE PROVISIONS OF 17-7-304.

14 (B) IT IS THE LEGISLATURE’S INTENT THAT THE APPROPRIATIONS IN THIS SUBSECTION (3) BECOME PART OF
15 THE RESPECTIVE AGENCY’S BASE BUDGET FOR THE BIENNIUM BEGINNING JULY 1, 2025.

16 (C) FOR THE BIENNIUM BEGINNING JULY 1, 2023, \$1,540,000 OF GENERAL FUNDS ARE APPROPRIATED TO
17 THE MONTANA UNIVERSITY SYSTEM FOR THE GALLATIN COLLEGE FACILITY, PROVIDED THE CONDITIONS OF SUBSECTIONS
18 (1) AND (2) ARE MET.

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

23
24 NEW SECTION. Section 17. DEFINITIONS. FOR THE PURPOSES OF ~~[SECTIONS 16 THROUGH 23]~~sections
25 17 through 24], UNLESS OTHERWISE PROVIDED, THE FOLLOWING DEFINITIONS APPLY:

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

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

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

9 (2) UP TO 3% OF THE FUNDS APPROPRIATED IN ~~SECTION 23~~ section 24 MAY BE ALLOCATED FOR THE
10 DEPARTMENT'S ADMINISTRATIVE COSTS.

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12 **NEW SECTION. Section 19. EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANTS AUTHORIZATION.**

13 (1) THE DEPARTMENT OF COMMERCE IS AUTHORIZED TO MAKE UP TO \$5 MILLION IN GRANTS TO NONPROFIT
14 CORPORATIONS FOR EMERGENCY SHELTER, PROPERTY ACQUISITION, CONSTRUCTION, SHELTER SPACE ACQUISITION, OR
15 GENERAL CAPITAL IMPROVEMENT PROJECTS. THE GRANTS AUTHORIZED IN THIS SECTION ARE SUBJECT TO THE
16 CONDITIONS SET FORTH IN ~~SECTION 20~~ section 21.

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

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

24
25 **NEW SECTION. Section 20. ELIGIBILITY -- SUBMISSION DEADLINE -- PRIORITY -- RULEMAKING AUTHORITY.**

26 (1) A NONPROFIT CORPORATION MAY APPLY TO THE DEPARTMENT OF COMMERCE FOR EMERGENCY SHELTER FACILITY
27 INFRASTRUCTURE GRANTS UNDER ~~SECTION 18~~ section 19.

28 (2) NONPROFIT CORPORATIONS SHALL SUBMIT GRANT APPLICATIONS TO THE DEPARTMENT IN ORDER TO

1 BE ELIGIBLE FOR FUNDING UNDER ~~[SECTION 18]~~[section 19].

2 (3) THE DEPARTMENT IS AUTHORIZED TO ADOPT RULES OR GUIDELINES NECESSARY TO IMPLEMENT

3 ~~[SECTIONS 16 THROUGH 23]~~[sections 17 through 24].

4

5 NEW SECTION. Section 21. CONDITION OF GRANTS -- DISBURSEMENT OF FUNDS. (1) THE DISBURSEMENT

6 OF GRANT FUNDS FOR THE PROJECTS CHOSEN BY THE DEPARTMENT OF COMMERCE PURSUANT TO ~~[SECTION 18]~~[section

7 19] IS SUBJECT TO COMPLETION OF THE FOLLOWING CONDITIONS:

8 (A) FOR GRANTS IN AN AMOUNT OF \$25,000 OR MORE, THE GRANT RECIPIENT SHALL DOCUMENT THE

9 AVAILABILITY OF MATCHING FUNDS OR IN-KIND CONTRIBUTIONS OF ASSETS WITH AN APPRAISED VALUE FROM PRIVATE

10 SOURCES REPRESENTING AT LEAST \$1 IN VALUE FOR EACH \$1 OF THE GRANT.

11 (B) THE GRANT RECIPIENT SHALL EXECUTE A GRANT AGREEMENT WITH THE DEPARTMENT OF COMMERCE

12 THAT INCLUDES A PROJECT MANAGEMENT PLAN AND REPORTING REQUIREMENTS TO TRACK THE OUTCOMES OF

13 ALLOCATED GRANTS.

14 (C) THE GRANT RECIPIENT SHALL SATISFY OTHER SPECIFIC REQUIREMENTS CONSIDERED NECESSARY BY

15 THE DEPARTMENT OF COMMERCE TO ACCOMPLISH THE PURPOSE OF THE PROJECT AS EVIDENCED BY THE APPLICATION

16 TO THE DEPARTMENT.

17 (2) PROJECTS MUST ADHERE TO THE DESIGN STANDARDS REQUIRED BY APPLICABLE REGULATORY

18 AGENCIES. RECIPIENTS OF PROGRAM FUNDS FOR PROJECTS THAT ARE NOT SUBJECT TO ANY DESIGN STANDARDS MUST

19 COMPLY WITH GENERALLY ACCEPTED INDUSTRY STANDARDS.

20 (3) IF ACTUAL PROJECT EXPENSES ARE LOWER THAN THE PROJECTED EXPENSE OF THE PROJECT, THE

21 DEPARTMENT SHALL REDUCE THE AMOUNT OF GRANT FUNDS TO BE PROVIDED TO GRANT RECIPIENTS.

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

24 THE MAXIMUM AMOUNT OF STATE FUNDING ALLOCATED TO ENTITIES WITHIN ANY INDIVIDUAL COUNTY UNDER ~~[SECTIONS~~

25 ~~16 THROUGH 23]~~[sections 17 through 24] MAY NOT EXCEED \$750,000.

26 (2) IF TOTAL APPLICATIONS WITHIN A SPECIFIC JURISDICTION EXCEED THE MAXIMUM AMOUNT ALLOWED,

27 THE DEPARTMENT SHALL INCLUDE INPUT FROM LOCAL ELECTED OFFICIALS IN THEIR RANKING CRITERIA FOR THOSE

28 APPLICATIONS.

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

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

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

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

(3) THERE MUST BE DEPOSITED IN THE ACCOUNT:

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

(i) CLASSROOM RENTAL;

(ii) PROPERTY RENTAL;

(iii) SITE TRAINING PACKAGES; AND

(iv) MONTANA PUBLIC SAFETY DEVELOPMENT CENTER MEMBERSHIPS;

(B) ANY LEGISLATIVE APPROPRIATIONS FOR OPERATIONS AND MAINTENANCE; AND

(C) GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF SUPPORTING THE MONTANA PUBLIC SAFETY
DEVELOPMENT CENTER.

NEW SECTION. Section 26. CAPITAL DEVELOPMENT PROJECT APPROPRIATIONS AND AUTHORIZATION. (1)
THERE IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION \$5 MILLION OF CAPITAL DEVELOPMENT FUNDS AND
\$5 MILLION OF FEDERAL SPECIAL REVENUE FOR THE BIENNIUM BEGINNING JULY 1, 2023, FOR CONSTRUCTION OF A

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

2 ON THE FOLLOWING:

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

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

5 FOLLOWING:

6 (i) MONTANA FIRE CHIEFS ASSOCIATION;

7 (ii) MONTANA SHERIFFS AND PEACE OFFICERS ASSOCIATION;

8 (iii) DEPARTMENT OF MILITARY AFFAIRS, DIVISION OF DISASTER AND EMERGENCY SERVICES, WHO SERVES

9 AS THE COMMITTEE CHAIR;

10 (iv) COUNTY ATTORNEY OFFICE; AND

11 (v) MONTANA REFINERY REPRESENTATIVE.

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

13 MONTANA PUBLIC SAFETY DEVELOPMENT CENTER.

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

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

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

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

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

19 FINANCE COMMITTEE WITHIN 90 DAYS OF RECEIPT OF THE PLAN DOCUMENTS. THE DEPARTMENT OF MILITARY AFFAIRS

20 SHALL MAKE A PRESENTATION OF THE FINAL PLAN DOCUMENTS TO THE MEMBERS OF THE LEGISLATIVE FINANCE

21 COMMITTEE.

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

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

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

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

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

27 OCCUPANCY, THE APPROPRIATION MADE IN THIS SUBSECTION (2) REVERTS TO ITS ORIGINATING FUND. THE

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

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

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

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

11
12 Section 28. SECTION 2, CHAPTER 461, LAWS OF 2021, IS AMENDED TO READ:

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

16 "MSU BLGS Art Annex Safety and System UpgradesDemolition
17 1,200,000 500,000 1,200,000 500,000"

18
19 NEW SECTION. Section 29. Severability. If a part of [this act] is invalid, all valid parts that are
20 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
21 the part remains in effect in all valid applications that are severable from the invalid applications.

22
23 Section 30. Section 1, Chapter 468, Laws of 2021, is amended to read:

24 Section 1. Authorizations of and appropriations for capital projects. The portion of section
25 1(4)(c), Chapter 468, Laws of 2021, appropriating money from the general fund to the Montana university
26 system for program expansion or operations and maintenance for the indicated new facility is amended to read:

27 "Montana University System
28 UM Forestry Conservation & Science Lab \$798,659 from the general fund

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

2

3 COORDINATION SECTION. Section 31. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 839 IS NOT

4 PASSED AND APPROVED, THEN ~~[SECTIONS 24 AND 25 OF THIS ACT]~~ [sections 25 and 26 of this act] ARE VOID.

5

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

7

8 NEW SECTION. Section 33. Termination. [Section 12] terminates June 30, 2025.

9

- END -