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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 17-7-201, 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."

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].

(4) "LRBP capital development" means the long-range building program capital developments

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

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.002.002

1 (V) MONTANA REFINERY REPRESENTATIVE.

2 (B) THE BUDGET DIRECTOR SHALL ADOPT A PLAN FOR THE DEVELOPMENT AND OPERATIONS OF THE
3 MONTANA PUBLIC SAFETY DEVELOPMENT CENTER.

4 (C) PLAN DEVELOPMENT, DELIVERY, AND ADOPTION MUST BE COORDINATED THROUGH THE DEPARTMENT
5 OF ADMINISTRATION. ALL PLAN DEVELOPMENT EFFORTS, CONTENT, AND COSTS ARE THE RESPONSIBILITY OF THE
6 DEPARTMENT OF MILITARY AFFAIRS AND THE STEERING COMMITTEE CREATED UNDER SUBSECTION (1)(A).

7 (D) THE PLAN MUST BE SUBMITTED TO THE LEGISLATIVE FISCAL ANALYST. THE DOCUMENTS MUST BE
8 PROVIDED IN A DIGITAL FORMAT AND MUST BE DISTRIBUTED BY THE LEGISLATIVE FISCAL ANALYST TO LEGISLATIVE
9 FINANCE COMMITTEE WITHIN 90 DAYS OF RECEIPT OF THE PLAN DOCUMENTS. THE DEPARTMENT OF MILITARY AFFAIRS
10 SHALL MAKE A PRESENTATION OF THE FINAL PLAN DOCUMENTS TO THE MEMBERS OF THE LEGISLATIVE FINANCE
11 COMMITTEE.

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

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

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

25
26 ~~NEW SECTION. SECTION 26. — APPROPRIATION. FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, THERE IS~~
27 ~~APPROPRIATED \$7,169,257 FROM GENERAL FUND TO THE DEPARTMENT OF CORRECTIONS TO INCREASE PROVIDER~~
28 ~~RATES TO ALLOW FOR THE CONSTRUCTION OF A SPECIAL SERVICES FACILITY.~~