

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 15-65-121, 17-7-201, AND 75-11-313, MCA; AMENDING SECTION 1(4),
15 CHAPTER 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]

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Drafter: Julie Johnson, 406-444-4024

HB0005.003.004

1 REPRESENTATIVES; AND

2 (II) THREE MEMBERS OF THE SENATE APPOINTED BY THE PRESIDENT OF THE SENATE.

3 (C) COMMITTEE MEMBERS ARE ENTITLED TO RECEIVE COMPENSATION AND EXPENSES AS PROVIDED IN 5-2-
4 302.

5 (D) THE LEGISLATIVE SERVICES DIVISION AND THE LEGISLATIVE FISCAL DIVISION SHALL PROVIDE STAFF
6 ASSISTANCE TO THE COMMITTEE.

7 (E) THE COMMITTEE SHALL FOCUS ON ESTABLISHING AN OVERALL FRAMEWORK FOR LONG-TERM FACILITY
8 NEEDS AND IMMEDIATE IMPROVEMENTS FOR DEPARTMENT OF CORRECTIONS FACILITIES.

9 (F) 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.

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.

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

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1	5,491,795	8,221,254	13,713,049
2	Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and		
3	section 3, Chapter 461, Laws of 2021.		
4	MUS MAES Supplemental MAES Research Labs		
5	1,604,050		1,604,050
6	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
7	DOA Supplemental Mazurek Building Renovation		
8	5,000,000		5,000,000
9	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
10	DNRC Supplemental ELO Facilities & Shop		
11	2,180,235		2,180,235
12	<u>3,003,553</u>		<u>3,003,553</u>
13	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
14	MUS MSU Supplemental Haynes Hall Ventilation Upgrades		
15	3,400,000		3,400,000
16	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
17	2021.		
18	MDT Supplemental Lincoln Airport SRE Building		
19		250,000	250,000
20	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
21	FWP Supplemental Havre Area Office		
22	2,199,600	620,400	2,820,000
23	Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of		
24	2021.		
25	<u>DOJ MLEA SUPPLEMENTAL SCENARIO BUILDING</u>		
26	<u>2,600,000</u>		<u>2,600,000</u>
27	<u>INFLATIONARY ADJUSTMENT FUNDING IS PROVIDED FOR THE PROJECT IN SECTION 3, CHAPTER 461, LAWS OF</u>		

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

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1	<u>156,000,000</u>	<u>156,000,000</u>
2	DPHHS Statewide Behavioral Health Initiative	
3	113,000,000	113,000,000
4	<u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>	
5	<u>7,000,000</u>	<u>7,000,000</u>
6	DOA Renovation of Capitol Complex Offices, Implement ROWS	
7	50,000,000	50,000,000
8	DOA State Capitol Building Improvements	
9	26,316,458	26,316,458
10	<u>28,695,418</u>	<u>28,695,418</u>
11	DNRC Seedling Nursery Improvements	
12	2,797,320	2,797,320
13	DOC MSP Water Line Replacement	
14	3,000,000	3,000,000
15	DOC MSP Entry/Staff Services Addition to Wallace Building	
16	12,800,000	12,800,000
17	DOC MSP Replace Roofs	
18	5,600,000	5,600,000
19	DOC MSP Xanthopoulos Building Repairs	
20	2,950,000	2,950,000
21	DOC MSP New Multi-Purpose Programs Building	
22	9,000,000	9,000,000
23	DLI Job Service Great Falls Building Renovation	
24	5,767,880	5,767,880
25	MUS UM FLBS Water and Sewer Systems	
26	2,500,000	2,500,000
27	DOC MWP Roof Replacement	

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

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1		6,581,000		6,581,000
2	MUS UM Clapp Building Renovation			
3		27,000,000	10,000,000	37,000,000
4	MUS MSU Lewis Hall Code & Instructional Renovations			
5		23,500,000	8,000,000	31,500,000
6	DOA 5 Last Chance Gulch Atrium Renovation			
7		15,558,029		15,558,029
8	MUS MT Tech Engineering Hall Renovation			
9		8,000,000		8,000,000
10	MUS MT Tech Main Hall Renovation			
11		30,000,000		30,000,000
12	MUS MAES BART Life-Safety & Programmatic Improvements			
13		10,000,000		10,000,000
14	DMA DES State Disaster Warehouse			
15		5,704,000		5,704,000
16	MUS UMW Campus Storage/Warehouse Building			
17		1,250,000		1,250,000
18	<u>MUS MSU-N HEALTH AND RECREATION COMPLEX</u>			
19		<u>25,000,000</u>		<u>25,000,000</u>
20	FWP Makoshika Campground Improvement & Addition			
21		2,500,000	2,500,000	5,000,000
22	FWP Beartooth WMA Facilities Upgrade			
23		8,000,000		8,000,000
24	FWP Agency Staff Housing			
25		7,500,000		7,500,000
26	<u>FWP Miles City Train Depot Renovation</u>			
27		<u>2,000,000</u>		<u>2,000,000</u>

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1	<u>State special revenue funds consist of funds from 15-65-121(2)(e).</u>		
2	FWP Central Services Site Upgrades		
3		17,168,330	17,168,330
4		<u>10,343,330</u>	<u>10,343,330</u>
5	MDT Combination Facility Great Falls		
6		12,600,000	12,600,000
7	MDT Combination Facility Kalispell		
8		11,000,000	11,000,000
9	MDT Combination Facility Missoula		
10		10,500,000	10,500,000
11	MUS MSU Supplemental Facilities Yard Relocation		
12		8,000,000	8,000,000
13	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
14	2019.		
15	MUS UM Supplemental Mansfield Library Remodel		
16		4,000,000	4,000,000
17	Inflationary and scope adjustment funding is provided for the project in section 3 4, Chapter 461, Laws		
18	of 2021.		
19	MUS MSU Supplemental Visual Communications Building		
20		4,000,000	4,000,000
21	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
22	2019.		
23	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
24		92,000,000	92,000,000
25	MUS MSU Gianforte Hall, School of Computing		
26		50,000,000	50,000,000
27	MUS UM Adams Center - Student Athlete Locker Rooms		

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1		6,000,000	6,000,000
2	MUS UM Campuswide Classroom Upgrades		
3		6,000,000	6,000,000
4	MUS UM Liberal Arts Building / Eck Hall		
5		4,000,000	4,000,000
6	MUS MSU Indoor Practice Facility		
7		15,000,000	15,000,000
8	MUS MT Tech Highlands College Indoor Pole Barn		
9		2,000,000	2,000,000
10	DOA Statewide Federal Spending Authority		
11		5,000,000	5,000,000
12	DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths		
13		590,000	590,000
14	<u>MUS UM MCGILL HALL EXPANSION</u>		
15		<u>3,000,000</u>	<u>3,000,000</u>

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

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

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

27 (3) (A) EXCEPT AS PROVIDED IN SUBSECTION (3)(B), FUNDS APPROPRIATED FOR THE DOC FLATHEAD

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1 COUNTY PRERELEASE CENTER MAY NOT BE EXPENDED UNTIL THE DEPARTMENT HAS RECEIVED ALL NECESSARY
2 AUTHORIZATIONS FOR THE PROPOSED PRERELEASE CENTER.
3 (B) TO SECURE ACQUISITION OF THE FACILITY, THE DEPARTMENT OF CORRECTIONS MAY ENTER INTO A
4 PURCHASE OPTION AGREEMENT WITH THE OWNER NOT TO EXCEED 18 MONTHS IN LENGTH. THE OPTION FEE MUST BE
5 FULLY CREDITED TO THE PURCHASE PRICE IF THE DEPARTMENT OF CORRECTIONS PURCHASES THE FACILITY. THE
6 OPTION FEE MAY NOT EXCEED 1% OF THE PURCHASE PRICE.

7 ~~(2)~~(4) The following money is appropriated to the department of military affairs for the indicated
8 capital development projects from the indicated sources. Funds not requiring legislative appropriation are
9 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

21 ~~(3)~~(5) (a) Pursuant to 17-7-210, if construction of a new facility requires an immediate or future
22 increase in state funding for program expansion or operations and maintenance, the legislature may not
23 authorize the new facility unless it also appropriates funds for the increase in state funding for program
24 expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year
25 following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in
26 this subsection ~~(3)~~(5) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-
27 304.

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

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

6 Agency/Project	7 General	8 State	9 Federal	10 Authority	11 Total
	12 Fund	13 Special	14 Special	15 Only	
		16 Revenue	17 Revenue	18 Sources	
19 Department of Corrections					
20 BSB Re-Entry Services, Acadia Facility					
	21 563,536				22 563,536
23 Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter					
24 401, Laws of 2021.					
25 DOC MSP Replace Low-Side Housing					
	26 176,560				27 176,560
28 DOC MSP Entry/Staff Services Addition to Wallace Building					
	29 184,000				30 184,000
31 DOC MSP New Multi-Purpose Programs Building					
	32 100,340				33 103,340
	34 <u>103,040</u>				35 <u>103,040</u>
36 <u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>					
	37 <u>3,388,560</u>				38 <u>3,388,560</u>

39 THE APPROPRIATION FOR THE DOC FLATHEAD COUNTY PRERELEASE CENTER IS FOR THE FISCAL YEAR
 40 BEGINNING JULY 1, 2024.

41 DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths

42 40,000 40,000

43 Department of Fish, Wildlife, and Parks

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1	FWP Beartooth WMA Facilities Upgrade		
2		80,000	80,000
3	FWP Agency Staff Housing		
4		225,000	225,000
5	FWP Central Services Site Upgrades		
6		128,762	128,762
7	<u>FWP Miles City Train Depot Operations and Maintenance</u>		
8		<u>73,000</u>	<u>73,000</u>
9	<u>Operations and maintenance are from FWP state special revenue funds.</u>		
10	Department of Military Affairs		
11	DMA Billings LAASF		
12		200,000	200,000
13	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
14	Laws of 2021.		
15	DMA DES State Emergency Coordination Center Expansion		
16		54,012	54,012
17	DMA FTH Collective Training Housing Facility		
18		34,000	34,000
19	DMA FTH Ready Building Addition		
20		26,472	26,472
21	Department of Natural Resources and Conservation		
22	DNRC Clearwater Replacement Bunkhouse		
23		27,650	27,650
24	DNRC Anaconda Bunkhouse		
25		33,180	33,180
26	DNRC NELO Fire Ready Room		
27		17,696	17,696

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1	DNRC CLO Dispatch Center Expansion		
2		10,700	10,700
3	Department of Public Health and Human Services		
4	DPHHS Statewide Behavioral Health Initiative		
5	_____	2,503,280	2,503,280
6	DPHHS MMHNCC Heated Storage Unit		
7		21,312	21,312
8	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>		
9		<u>1,200,000</u>	<u>1,200,000</u>
10	DMA DES State Disaster Warehouse		
11		62,000	62,000
12	Montana Department of Transportation		
13	MDT Combination Facility Great Falls		
14		53,900	53,900
15	MDT Combination Facility Kalispell		
16		42,400	42,400
17	MDT Combination Facility Missoula		
18		41,800	41,800
19	Montana University System		
20	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)		
21		520,695	520,695
22	MUS HC Acquire and Renovate Airport Hangar		
23		188,133	188,133
24	MUS UMW Campus Storage/Warehouse Building		
25		63,975	63,975
26	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
27		4,000,154	4,000,154

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1	MUS MSU Gianforte Hall, School of Computing		
2		1,730,858	1,730,858
3	MUS MSU Indoor Practice Facility		
4			athletics/auxiliaries funds only
5	MUS MT Tech Highlands College Indoor Pole Barn		
6		42,671	42,671
7	<u>MUS UM MCGILL HALL EXPANSION</u>		
8		<u>62,256</u>	<u>62,256</u>
9	<u>MUS MSU-N HEALTH AND RECREATION COMPLEX</u>		
10		<u>585,240</u>	<u>585,240</u>

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

14
15 NEW SECTION. SECTION 4. PROJECT PRIORITY. (1) THE DEPARTMENT OF ADMINISTRATION SHALL
16 PRIORITIZE THE FOLLOWING PROJECTS AT THE MONTANA STATE PRISON AS FIRST AND SHALL MOVE AT ALL DELIBERATE
17 SPEED TO HAVE EACH PROJECT UNDER CONTRACT BY SEPTEMBER 30, 2023:

- 18 DOC MSP REPLACE LOW-SIDE HOUSING
- 19 DOC MSP PERIMETER FENCE ENHANCEMENT
- 20 DOC MSP UNIT F WATER SUPPLY UPGRADE
- 21 DOC MSP WATER LINE REPLACEMENT
- 22 DOC MSP ENTRY/STAFF SERVICES ADDITION TO WALLACE BUILDING
- 23 DOC MSP REPLACE ROOFS
- 24 DOC MSP XANTHOPOULOS BUILDING REPAIRS
- 25 DOC MSP NEW MULTI-PURPOSE PROGRAMS BUILDING

26 (2) TO EXPEDITE CONSTRUCTION OF NEW LOW-SIDE HOUSING UNITS AT MONTANA STATE PRISON, THE
27 DEPARTMENT OF ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT OF CORRECTIONS, IS AUTHORIZED TO

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1 approved by the director if:

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

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

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

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

17
18 **NEW SECTION. Section 10. Legislative consent.** The appropriations authorized in [~~sections 4~~
19 ~~through 8~~] [~~SECTIONS 1 THROUGH 26~~] [~~SECTIONS 1 THROUGH 2728~~] constitute legislative consent for the capital
20 projects contained in [~~sections 1 through 8~~] [~~SECTIONS 1 THROUGH 26~~] [~~SECTIONS 1 THROUGH 2728~~] within the
21 meaning of 18-2-102.

22
23 **NEW SECTION. Section 11. Increase in state funding for program expansion or operations and**
24 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and
25 maintenance is required for a new facility in [section 3] but the increase is not appropriated by the 68th
26 legislature, the new facility in [section 3] is not appropriated or authorized as provided in 17-7-210.

27

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1 administration shall make the following transfers:

2 (1) \$41,420,091 from the capital developments long-range building program account established in
3 17-7-209 to the major repair long-range building program account established in 17-7-221.

4 ~~(2) \$2,000,000 FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT~~
5 ~~ESTABLISHED IN 17-7-209 TO THE CAPITOL PROJECTS LAND GRANT FUND PROVIDED FOR IN 18-2-107.~~

6 ~~(2) \$113,000,000 from the general fund to the capital developments long-range building program~~
7 ~~account established in 17-7-209.~~

8

9

Section 14. Section 15-65-121, MCA, is amended to read:

10

"15-65-121. (Temporary) Distribution of tax proceeds. (1) The proceeds of the tax imposed by 15-

11

65-111 must, in accordance with the provisions of 17-2-124, be deposited in an account in the state special

12

revenue fund to the credit of the department. The department may spend from that account in accordance with

13

an expenditure appropriation by the legislature based on an estimate of the costs of collecting and disbursing

14

the proceeds of the tax. Before allocating the balance of the tax proceeds in accordance with the provisions of

15

17-2-124 and as provided in subsections (2)(a) through (2)(i) of this section, the department shall determine the

16

expenditures by state agencies for in-state lodging for each reporting period and deduct 4% of that amount from

17

the tax proceeds received each reporting period. The department shall distribute the portion of the 4% that was

18

paid with federal funds to the agency that made the in-state lodging expenditure and deposit 30% of the amount

19

deducted less the portion paid with federal funds in the state general fund.

20

(2) The balance of the tax proceeds received each reporting period and not deducted pursuant to

21

the expenditure appropriation, deposited in the state general fund, distributed to agencies that paid the tax with

22

federal funds, or deposited in the heritage preservation and development account must be transferred to an

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account in the state special revenue fund to the credit of the department of commerce for tourism promotion

24

and promotion of the state as a location for the production of motion pictures and television commercials, to the

25

Montana historical interpretation state special revenue account, to the Montana historical society, to the

26

university system, to the state-tribal economic development commission, and to the department of fish, wildlife,

27

and parks, as follows:

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- 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) 60.3% to be used directly by the department of commerce, in part to renovate the Miles City
9 train depot;
- 10 (f) (i) except as provided in subsection (2)(f)(ii), 22.5% to be distributed by the department to
11 regional nonprofit tourism corporations in the ratio of the proceeds collected in each tourism region to the total
12 proceeds collected statewide; and
- 13 (ii) if 22.5% of the proceeds collected annually within the limits of a city, consolidated city-county,
14 resort area, or resort area district exceeds \$35,000, 50% of the amount available for distribution to the regional
15 nonprofit tourism corporation in the region where the city, consolidated city-county, resort area, or resort area
16 district is located, to be distributed to the nonprofit convention and visitors bureau in that city, consolidated city-
17 county, resort area, or resort area district;
- 18 (g) 0.5% to the state special revenue account provided for in 90-1-135 for use by the state-tribal
19 economic development commission established in 90-1-131 for activities in the Indian tourism region;
- 20 (h) 2.6% to the Montana historical interpretation state special revenue account established in 22-3-
21 115; and
- 22 (i) 2.7% or \$1 million, whichever is less, to the Montana heritage preservation and development
23 account provided for in 22-3-1004. The Montana heritage preservation and development commission shall
24 report on the use of funds received pursuant to this subsection (2)(i) to the legislative finance committee on a
25 semiannual basis, in accordance with 5-11-210.
- 26 (3) If a city, consolidated city-county, resort area, or resort area district qualifies under 15-68-
27 820(5)(b)(iii) or this section for funds but fails to either recognize a nonprofit convention and visitors bureau or

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1 submit and gain approval for an annual marketing plan as required in 15-65-122, then those funds must be
2 allocated to the regional nonprofit tourism corporation in the region in which the city, consolidated city-county,
3 resort area, or resort area district is located.

4 (4) If a regional nonprofit tourism corporation fails to submit and gain approval for an annual
5 marketing plan as required in 15-65-122, then those funds otherwise allocated to the regional nonprofit tourism
6 corporation may be used by the department of commerce for tourism promotion and promotion of the state as a
7 location for the production of motion pictures and television commercials.

8 (5) The tax proceeds received that are transferred to a state special revenue account pursuant to
9 subsections (2)(a) through (2)(c), (2)(e), and (2)(f) are statutorily appropriated to the entities as provided in 17-
10 7-502.

11 (6) The tax proceeds received that are transferred to the invasive species state special revenue
12 account pursuant to subsection (2)(d), to the Montana historical interpretation state special revenue account
13 pursuant to subsection (2)(h), and to the Montana heritage preservation and development account pursuant to
14 subsection (2)(i) are subject to appropriation by the legislature. (Terminates June 30, 2027--sec. 12, Ch. 563, L.
15 2021.)

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

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- 1 (2) The balance of the tax proceeds received each reporting period and not deducted pursuant to
2 the expenditure appropriation, deposited in the state general fund, distributed to agencies that paid the tax with
3 federal funds, or deposited in the heritage preservation and development account must be transferred to an
4 account in the state special revenue fund to the credit of the department of commerce for tourism promotion
5 and promotion of the state as a location for the production of motion pictures and television commercials, to the
6 Montana historical interpretation state special revenue account, to the Montana historical society, to the
7 university system, to the state-tribal economic development commission, and to the department of fish, wildlife,
8 and parks, as follows:
- 9 (a) 1% to the Montana historical society to be used for the installation or maintenance of roadside
10 historical signs and historic sites;
- 11 (b) 2.5% to the university system for the establishment and maintenance of a Montana travel
12 research program;
- 13 (c) 6.5% to the department of fish, wildlife, and parks for the maintenance of facilities in state parks
14 that have both resident and nonresident use;
- 15 (d) 1.4% to the invasive species state special revenue account established in 80-7-1004;
- 16 (e) 63% to be used directly by the department of commerce;
- 17 (f) (i) except as provided in subsection (2)(f)(ii), 22.5% to be distributed by the department to
18 regional nonprofit tourism corporations in the ratio of the proceeds collected in each tourism region to the total
19 proceeds collected statewide; and
- 20 (ii) if 22.5% of the proceeds collected annually within the limits of a city, consolidated city-county,
21 resort area, or resort area district exceeds \$35,000, 50% of the amount available for distribution to the regional
22 nonprofit tourism corporation in the region where the city, consolidated city-county, resort area, or resort area
23 district is located, to be distributed to the nonprofit convention and visitors bureau in that city, consolidated city-
24 county, resort area, or resort area district;
- 25 (g) 0.5% to the state special revenue account provided for in 90-1-135 for use by the state-tribal
26 economic development commission established in 90-1-131 for activities in the Indian tourism region; and
- 27 (h) 2.6% to the Montana historical interpretation state special revenue account established in 22-3-

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- 1 115.
- 2 (3) If a city, consolidated city-county, resort area, or resort area district qualifies under 15-68-
- 3 820(5)(b)(iii) or this section for funds but fails to either recognize a nonprofit convention and visitors bureau or
- 4 submit and gain approval for an annual marketing plan as required in 15-65-122, then those funds must be
- 5 allocated to the regional nonprofit tourism corporation in the region in which the city, consolidated city-county,
- 6 resort area, or resort area district is located.
- 7 (4) If a regional nonprofit tourism corporation fails to submit and gain approval for an annual
- 8 marketing plan as required in 15-65-122, then those funds otherwise allocated to the regional nonprofit tourism
- 9 corporation may be used by the department of commerce for tourism promotion and promotion of the state as a
- 10 location for the production of motion pictures and television commercials.
- 11 (5) The tax proceeds received that are transferred to a state special revenue account pursuant to
- 12 subsections (2)(a) through (2)(c), (2)(e), and (2)(f) are statutorily appropriated to the entities as provided in 17-
- 13 7-502.
- 14 (6) The tax proceeds received that are transferred to the invasive species state special revenue
- 15 account pursuant to subsection (2)(d) and to the Montana historical interpretation state special revenue account
- 16 pursuant to subsection (2)(h) are subject to appropriation by the legislature."

17

18 **Section 15.** Section 17-7-201, MCA, is amended to read:

19 **"17-7-201. Definitions.** In this part, the following definitions apply:

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

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

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

23 (iii) building, facility, or structure owned or to be owned by a state agency, including the department

24 of transportation.

25 (b) The term does not include a:

26 (i) building, facility, or structure owned or to be owned by a county, city, town, school district, or

27 special improvement district;

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1 ORIGINATING SOURCE.

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

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

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

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

18
19 NEW SECTION. Section 18. DEFINITIONS. FOR THE PURPOSES OF ~~[SECTIONS 16 THROUGH 23]~~ [SECTIONS
20 17 THROUGH 24] [sections 18 through 25], UNLESS OTHERWISE PROVIDED, THE FOLLOWING DEFINITIONS APPLY:

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

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

26
27 NEW SECTION. Section 19. EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT -- USE. (1)

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1 THERE IS WITHIN THE STATE SPECIAL REVENUE FUND PROVIDED FOR IN 17-2-102 AN ACCOUNT CALLED THE EMERGENCY
2 SHELTER FACILITY INFRASTRUCTURE ACCOUNT TO PROVIDE GRANT FUNDING TO NONPROFIT CORPORATIONS THAT
3 PROVIDE EMERGENCY SHELTER FOR THE HOMELESS AND FOR ADMINISTRATIVE COSTS RELATED TO ADMINISTERING THE
4 GRANTS. THE DEPARTMENT OF COMMERCE SHALL ADMINISTER THE ACCOUNT.

5 (2) UP TO 3% OF THE FUNDS APPROPRIATED IN [SECTION 23] [SECTION 24][section 25] MAY BE
6 ALLOCATED FOR THE DEPARTMENT'S ADMINISTRATIVE COSTS.

7
8 **NEW SECTION. Section 20. EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANTS AUTHORIZATION.**

9 (1) THE DEPARTMENT OF COMMERCE IS AUTHORIZED TO MAKE UP TO \$5 MILLION IN GRANTS TO NONPROFIT
10 CORPORATIONS FOR EMERGENCY SHELTER, PROPERTY ACQUISITION, CONSTRUCTION, SHELTER SPACE ACQUISITION, OR
11 GENERAL CAPITAL IMPROVEMENT PROJECTS. THE GRANTS AUTHORIZED IN THIS SECTION ARE SUBJECT TO THE
12 CONDITIONS SET FORTH IN [SECTION 20] [SECTION 24] [section 22].

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

15 (3) FUNDING FOR PROJECTS MAY BE PROVIDED ONLY AS LONG AS THERE ARE SUFFICIENT FUNDS
16 AVAILABLE FROM THE AMOUNT THAT WAS DEPOSITED OR TRANSFERRED INTO THE EMERGENCY SHELTER FACILITY
17 INFRASTRUCTURE ACCOUNT FOR GRANTS ESTABLISHED IN [SECTION 17(1)] [SECTION 18(1)] [section 19(1)]. FUNDING
18 FOR THESE PROJECTS MUST BE MADE AVAILABLE IN THE ORDER THAT THE GRANT RECIPIENTS SATISFY THE CONDITIONS
19 DESCRIBED IN [SECTION 20] [SECTION 24] [section 22].

20
21 **NEW SECTION. Section 21. ELIGIBILITY -- SUBMISSION DEADLINE -- PRIORITY -- RULEMAKING AUTHORITY.**

22 (1) A NONPROFIT CORPORATION MAY APPLY TO THE DEPARTMENT OF COMMERCE FOR EMERGENCY SHELTER FACILITY
23 INFRASTRUCTURE GRANTS UNDER [SECTION 18] [SECTION 19] [section 20].

24 (2) NONPROFIT CORPORATIONS SHALL SUBMIT GRANT APPLICATIONS TO THE DEPARTMENT IN ORDER TO
25 BE ELIGIBLE FOR FUNDING UNDER [SECTION 18] [SECTION 19][section 20].

26 (3) THE DEPARTMENT IS AUTHORIZED TO ADOPT RULES OR GUIDELINES NECESSARY TO IMPLEMENT
27 [SECTIONS 16 THROUGH 23] [SECTIONS 17 THROUGH 24] [sections 18 through 25].

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NEW SECTION. Section 22. CONDITION OF GRANTS -- DISBURSEMENT OF FUNDS. (1) THE DISBURSEMENT OF GRANT FUNDS FOR THE PROJECTS CHOSEN BY THE DEPARTMENT OF COMMERCE PURSUANT TO ~~[SECTION 18]~~ ~~[SECTION 19]~~ ~~[section 20]~~ IS SUBJECT TO COMPLETION OF THE FOLLOWING CONDITIONS:

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

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

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

(2) PROJECTS MUST ADHERE TO THE DESIGN STANDARDS REQUIRED BY APPLICABLE REGULATORY AGENCIES. RECIPIENTS OF PROGRAM FUNDS FOR PROJECTS THAT ARE NOT SUBJECT TO ANY DESIGN STANDARDS MUST COMPLY WITH GENERALLY ACCEPTED INDUSTRY STANDARDS.

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

NEW SECTION. Section 23. MAXIMUM STATE FUNDING AVAILABLE -- PER PROJECT -- PER COUNTY. (1) THE MAXIMUM AMOUNT OF STATE FUNDING ALLOCATED TO ENTITIES WITHIN ANY INDIVIDUAL COUNTY UNDER ~~[SECTIONS 16 THROUGH 23]~~ ~~[SECTIONS 17 THROUGH 24]~~ ~~[sections 18 through 25]~~ MAY NOT EXCEED \$750,000.

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

NEW SECTION. Section 24. TRANSFER OF FUNDS. BY JULY 1, 2023, THE STATE TREASURER SHALL

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1 TRANSFER \$5 MILLION FROM THE GENERAL FUND TO THE EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT
2 ESTABLISHED IN [SECTION 17] ~~[SECTION 18]~~ [section 19].
3

4 NEW SECTION. Section 25. APPROPRIATION. THERE IS APPROPRIATED \$5 MILLION FOR THE BIENNIUM
5 BEGINNING JULY 1, 2023, FROM THE EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT ESTABLISHED IN
6 [SECTION 17] ~~[SECTION 18]~~ [section 19] TO THE DEPARTMENT OF COMMERCE FOR GRANTS AS AUTHORIZED IN
7 [SECTIONS 16 THROUGH 23] ~~[SECTIONS 17 THROUGH 24]~~ [sections 18 through 25].
8

9 NEW SECTION. Section 26. MONTANA PUBLIC SAFETY DEVELOPMENT CENTER STATE SPECIAL REVENUE
10 ACCOUNT. (1) THERE IS A MONTANA PUBLIC SAFETY DEVELOPMENT CENTER ACCOUNT IN THE STATE SPECIAL REVENUE
11 FUND TO BE ADMINISTERED BY THE DEPARTMENT OF MILITARY AFFAIRS.

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

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

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

16 (I) CLASSROOM RENTAL;

17 (II) PROPERTY RENTAL;

18 (III) SITE TRAINING PACKAGES; AND

19 (IV) MONTANA PUBLIC SAFETY DEVELOPMENT CENTER MEMBERSHIPS;

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

21 (C) GIFTS, GRANTS, OR DONATIONS FOR THE PURPOSE OF SUPPORTING THE MONTANA PUBLIC SAFETY
22 DEVELOPMENT CENTER.
23

24 NEW SECTION. Section 27. CAPITAL DEVELOPMENT PROJECT APPROPRIATIONS AND AUTHORIZATION. (1)
25 THERE IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION \$5 MILLION OF CAPITAL DEVELOPMENT FUNDS AND
26 \$5 MILLION OF FEDERAL SPECIAL REVENUE FOR THE BIENNIUM BEGINNING JULY 1, 2023, FOR CONSTRUCTION OF A
27 FACILITY FOR THE DEPARTMENT OF MILITARY AFFAIRS MONTANA PUBLIC SAFETY DEVELOPMENT CENTER, CONTINGENT

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1 ON THE FOLLOWING:

2 (A) THE FORMATION OF A STEERING COMMITTEE TO DECIDE THE PRIORITIES OF THE MONTANA PUBLIC
3 SAFETY DEVELOPMENT CENTER. THE COMMITTEE WILL BE MADE UP OF A REPRESENTATIVE FROM EACH OF THE
4 FOLLOWING:

5 (I) MONTANA FIRE CHIEFS ASSOCIATION;

6 (II) MONTANA SHERIFFS AND PEACE OFFICERS ASSOCIATION;

7 (III) DEPARTMENT OF MILITARY AFFAIRS, DIVISION OF DISASTER AND EMERGENCY SERVICES, WHO SERVES
8 AS THE COMMITTEE CHAIR;

9 (IV) COUNTY ATTORNEY OFFICE; AND

10 (V) MONTANA REFINERY REPRESENTATIVE.

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

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

16 (D) THE PLAN MUST BE SUBMITTED TO THE LEGISLATIVE FISCAL ANALYST. THE DOCUMENTS MUST BE
17 PROVIDED IN A DIGITAL FORMAT AND MUST BE DISTRIBUTED BY THE LEGISLATIVE FISCAL ANALYST TO LEGISLATIVE
18 FINANCE COMMITTEE WITHIN 90 DAYS OF RECEIPT OF THE PLAN DOCUMENTS. THE DEPARTMENT OF MILITARY AFFAIRS
19 SHALL MAKE A PRESENTATION OF THE FINAL PLAN DOCUMENTS TO THE MEMBERS OF THE LEGISLATIVE FINANCE
20 COMMITTEE.

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

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

- 2023

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Drafter: Julie Johnson, 406-444-4024

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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]~~ [section 26] FOR THE BIENNIUM BEGINNING
5 JULY 1, 2025, TO THE DEPARTMENT OF MILITARY AFFAIRS FOR PROGRAM EXPANSION OR OPERATIONS AND
6 MAINTENANCE FOR THE MONTANA PUBLIC SAFETY DEVELOPMENT CENTER.

7
8 NEW SECTION. Section 28. 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 29. 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 30. 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 31. 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

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

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1	UM Forestry Conservation & Science Lab	\$798,659 from the general fund
2	MAES Research and Wool Laboratories	\$389,402 \$305,298 from the general fund"

3

4 **COORDINATION SECTION. Section 32. COORDINATION INSTRUCTION.** IF HOUSE BILL NO. 839 IS NOT

5 ~~PASSED AND APPROVED, THEN [SECTIONS 24 AND 25 OF THIS ACT] [SECTIONS 25 AND 26 OF THIS ACT] [sections 26~~

6 and 27 of this act] ARE VOID.

7

8 **NEW SECTION. Section 33. Effective date.** [This act] is effective on passage and approval.

9

10 **NEW SECTION. Section 34. TERMINATION.** ~~[SECTION 12]~~ and ~~[section 14]~~ ~~TERMINATES terminate~~ JUNE

11 30, 2025.

12 - END -