

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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1 [SECTIONS 1 THROUGH 11].

2 (4) "LRBP capital development" means the long-range building program capital developments
3 account in the capital projects fund type provided for in 17-7-209.

4 (5) "LRBP major repair" or "LRBP MR" means the long-range building program major repair
5 account in the capital projects fund type provided for in 17-7-221.

6 (6) "Major repair" means capital projects provided for in 17-7-201(7).

7 (7) "Other funding sources" means money other than LRBP money, state special revenue, or
8 federal special revenue that accrues to an agency under the provisions of law.

9 (8) "SBCEP" means funds from the state building energy conservation program account in the
10 capital projects fund type, which may be utilized on either or both major repair and capital development
11 projects.

12
13 **NEW SECTION. Section 2. Major repair projects appropriations and authorizations.** (1) The
14 following money is appropriated to the department of administration for the indicated major repair projects from
15 the indicated sources. Funds not requiring legislative appropriation are included for the purpose of
16 authorization. The department of administration is authorized to adjust capital project amounts within the
17 legislative intent of the major repair account-funded projects, subject to available revenues, if approved by the
18 office of budget and program planning, and transfer the appropriations, authority, or both among the necessary
19 fund types for these projects:

Agency/Project	LRBP	State	Federal	Authority	Total
	MR	Special	Special	Only	
	Fund	Revenue	Revenue	Sources	
DPHHS Supplemental MSH Wastewater Treatment					
	1,400,000				1,400,000
Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019.					
DPHHS Supplemental MSH Hospital Roof					
	800,000				800,000

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1	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
2	DPHHS Supplemental MMHNCC Roof Replacement		
3	1,500,000		1,500,000
4	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
5	DOC Supplemental MSP/MWP/PHYCF/Xanthopolous Door Control Systems		
6	450,000		450,000
7	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
8	MSDB Supplemental Mustang Center Fire Sprinkler System		
9	830,854		830,854
10	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
11	MUS UM Supplemental FLBS Sewer Treatment Plant		
12	1,100,000		1,100,000
13	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
14	MUS UM Supplemental Mansfield Library Roof Repair		
15	500,000		500,000
16	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
17	MUS MSU-N Supplemental Vande Bogart Library Roof Replacement		
18	675,000		675,000
19	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
20	DPHHS Supplemental MVH Roof Replacement		
21	1,600,000		1,600,000
22	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment		
23	funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
24	MUS MSU Supplemental Reid Hall Fire System Upgrades		
25	1,000,000		1,000,000
26	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.		
27	MUS MSU-N Supplemental Brockmann Center HVAC Upgrade		

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1	1,907,320	1,907,320
2	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
3	MUS UM Supplemental Clapp Building Elevator	
4	500,000	500,000
5	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
6	MUS UM Supplemental Stone Hall Roof Replacement	
7	800,000	800,000
8	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
9	DNRC Supplemental Swan Lake Office Siding	
10	187,687	187,687
11	Inflationary adjustment funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
12	DPHHS Supplemental MVH Courtyard Improvements	
13	517,000	517,000
14	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment	
15	funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
16	DPHHS Supplemental MVH Flooring	
17	367,000	367,000
18	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment	
19	funding is provided for the project in section 2, Chapter 461, Laws of 2021.	
20	DPHHS Supplemental MVH ARPA HVAC	
21	423,039	423,039
22	State special revenue funds consist of cigarette taxes provided for in 16-11-119. Inflationary adjustment	
23	funding is provided for the project in section 20, Chapter 401, Laws of 2021.	
24	<u>MUS UM-HC SUPPLEMENTAL DONALDSON BUILDING HVAC</u>	
25	<u>1,000,000</u>	<u>1,000,000</u>
26	<u>INFLATIONARY ADJUSTMENT FUNDING IS PROVIDED FOR THE PROJECT IN SECTION 2, CHAPTER 461, LAWS OF</u>	
27	<u>2021.</u>	

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1	<u>MUS MSU SUPPLEMENTAL MONTANA HALL FIRE SYSTEM UPGRADES</u>	
2	<u>220,000</u>	<u>220,000</u>
3	DOA Parking Garage Repairs, 5 Last Chance Gulch	
4	1,808,145	1,808,145
5	DOC MSP Red Light/Emergency Notification System	
6	1,000,000	1,000,000
7	DOC MSP Perimeter Fence Enhancement	
8	1,500,000	1,500,000
9	MSDB Campus Security Camera Install	
10	300,000	300,000
11	MUS GFC Fire Suppression System Upgrades	
12	500,000	500,000
13	DLI Billings UI Call Center Repairs	
14	1,000,000	1,000,000
15	DOC Pine Hills Roof Replacement	
16	1,000,000	1,000,000
17	DOC Eastmont HVAC System Repairs/Replacements	
18	200,000	200,000
19	DPHHS MMHNCC Site Improvements & Increase Parking	
20	300,000	300,000
21	DPHHS MMHNCC Key Card Entry System	
22	125,000	125,000
23	DPHHS MMHNCC Backup Water Well	
24	200,000	200,000
25	MSDB Create Bus Loop and Update Parking Lot	
26	349,637	349,637
27	MUS MSU Barnard Hall Failed Chiller Replacement	

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1	1,750,000	1,750,000
2	DOC MWP Cooling System Upgrade	
3	750,000	750,000
4	DOJ MLEA Boiler Replacement, Admin Building	
5	830,000	830,000
6	DOA Original Governor's Mansion Repairs	
7	600,000	600,000
8	DOJ MHP Roof Replacements & <u>UPGRADES</u> , Boulder Campus	
9	1,860,000	1,860,000
10	MUS UM Priority 1 Campuswide Roof Replacements	
11	2,425,000	2,425,000
12	DOC Facility-Specific Program & Master Plan	
13	600,000	600,000
14	MUS MSU-B P.E. Building Roof Replacement	
15	2,400,000	2,400,000
16	MUS UMW Repair/Replace Sewer Mains	
17	425,000	425,000
18	<u>125,000</u>	<u>125,000</u>
19	MUS UM Upgrade/Replace Elevators	
20	2,498,650	2,498,650
21	MUS UM FLBS Roof Replacements	
22	262,000	262,000
23	DOC MWP Heating System Upgrade	
24	1,500,000	1,500,000
25	DOJ Missoula Crime Lab Expansion Feasibility Study	
26	75,000	75,000
27	MUS MT Tech Electrical Distribution Upgrades	

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1	650,000		650,000
2	MUS MSU-B Campus Water Distribution System Upgrades		
3	2,000,000	400,000	2,400,000
4	MUS MSU Lewis Hall ADA Upgrades		
5	2,400,000		2,400,000
6	Funding must be reallocated by the department to other major repair projects if funding is appropriated		
7	in [section 3] for MUS MSU Lewis Hall Code & Instructional Renovations.		
8	MUS UM Replace Fire Alarms, Clapp Building		
9	780,000		780,000
10	Funding must be reallocated by the department to other major repair projects if funding is appropriated		
11	in [section 3] for MUS UM Clapp Building Renovation.		
12	MUS MSU Tietz Hall Roof Replacement		
13	1,300,000		1,300,000
14	DOC MWP Perimeter Fence/Dog Yard		
15	1,000,000		1,000,000
16	DOC Pine Hills Unit F Sewer Line Replacement		
17	500,000		500,000
18	DOC MSP Unit F Water Supply Upgrade		
19	600,000		600,000
20	DMA Gallatin Readiness Center Roof Replacement		
21	741,455	741,455	1,482,910
22	DOC MSP Site Infrastructure Study		
23	300,000		300,000
24	MUS MSU Cobleigh Hall Parapet Structural Repair		
25	2,400,000		2,400,000
26	MUS MT Tech Restroom Renovations		
27	1,200,000		1,200,000

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1 Portions of this funding must be reallocated by the department to other major repair projects if funding
2 is appropriated in [section 3] for either or both MUS MT Tech Engineering Hall Renovation and MUS MT Tech
3 Main Hall Renovation.

4	MUS MSU Campus Heating Plant Boiler Controls Upgrade		
5	1,600,000	800,000	2,400,000
6	MUS MSU Emergency Water System & Fixture Upgrades		
7	2,400,000		2,400,000
8	MUS MT Tech Masonry Repairs		
9	455,000		455,000
10	MUS UMW Elevator Repairs/Replacements		
11	325,000		325,000
12	DNRC Stillwater Unit Shop Replacement		
13	1,214,837		1,214,837
14	MUS MAES WARC Shop Renovation & Safety Upgrades		
15	600,000		600,000
16	DOA Statewide FCA Baseline Assessments		
17	1,500,000		1,500,000
18	MUS MSU-N Campus EMS Building Controls Upgrade Project		
19	400,000		400,000
20	MUS UM Campus Building Envelope Repairs		
21	415,000		415,000
22	MUS UM Replace Electrical Equipment		
23	325,000		325,000
24	MUS MSU-N Electronics Tech. HVAC & Lighting Upgrade		
25	800,000		800,000
26	MUS MAES Lambing Barn Renovation & Safety Upgrades		
27	2,000,000		2,000,000

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1		<u>200,000</u>		<u>200,000</u>
2	MUS MSU Hamilton Hall Life-Safety System Improvements			
3		2,400,000		2,400,000
4	MUS MSU-N Pershing Hall Renovation			
5		2,400,000		2,400,000
6	MUS MSU-N Metals Technology Building Roof Project			
7		400,000		400,000
8	MUS MAES BART Demolition Project			
9		<u>450,000</u>		<u>450,000</u>
10		<u>400,000</u>		<u>400,000</u>
11	DOC MSP MCE Industries Repairs			
12			<u>700,000</u>	<u>700,000</u>
13		<u>700,000</u>		<u>700,000</u>
14	DMA Gallatin RC & FMS HVAC & Controls Repairs			
15		320,747	962,241	1,282,988
16	DMA FTH HAFRC Lighting and Control Modifications			
17		26,768	324,947	351,715
18	MUS HC Art Instruction Renovation			
19		<u>162,500</u>		<u>162,500</u>
20	DMA Statewide SMART Deferred Maintenance Program			
21		1,500,000		1,500,000
22	Funding may only be used by the department upon receipt of federal special revenue matching funds.			
23	DOJ MHP Boulder Dorm Renovations			
24		250,000		250,000
25	<u>MDT/FWP CLEARWATER JUNCTION RV DUMP STATION SYSTEM REPAIR AND RENOVATION</u>			
26		<u>1,600,000</u>		<u>1,600,000</u>
27	DOA Boiler & Chiller Replacement - Walt Sullivan			

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1		473,707	473,707
2	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
3	DOA Elevator Modifications - Cogswell Building		
4		768,757	768,757
5	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
6	DOA Elevator Modifications - Walt Sullivan Building		
7		379,763	379,763
8	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
9	DOA Roof & Mechanical - DPHHS 111 N. Sanders		
10		1,309,099	1,309,099
11	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
12	DOA Roof Replacement - FWP Headquarters		
13		289,695	289,695
14	State special revenue funds consist of capitol land grant funds provided for in 18-2-107.		
15	<u>DOA STATE OF MONTANA DATA CENTER ROOF REPLACEMENT</u>		
16		<u>700,000</u>	<u>700,000</u>
17	<u>STATE SPECIAL REVENUE FUNDS CONSIST OF CAPITOL LAND GRANT FUNDS PROVIDED FOR IN 18-2-107.</u>		
18	MUS HC Cosmetology Program Renovation		
19		2,495,000	2,495,000
20	DOC MCE Food Factory Emergency Generator		
21		100,000	100,000

(2) State special revenue fund appropriations to the department of administration from the capitol land grant fund may be adjusted among the indicated capital projects within the legislative intent, subject to available revenue, if approved by the office of budget and program planning.

(3) The following money is appropriated to the department of military affairs for the indicated major repair projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization.

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1	Agency/Project	LRBP	State	Federal	Authority	Total
2		MR	Special	Special	Only	
3		Fund	Revenue	Revenue	Sources	
4	DMA FTH Aviation Support Facility Energy Improvements					
5				1,067,500		1,067,500
6	DMA FTH Building 1005 Expansion and Compound Upgrades					
7				713,700		713,700
8	DMA FTH Building 530 Compound Improvements					
9				526,125		526,125
10	DMA FTH Crew Proficiency Course Tower Improvements					
11				396,934		396,934
12	DMA FTH Energy Improvements and Generator Backup					
13				320,250		320,250
14	DMA FTH Facility LED Lighting Retrofit					
15				238,816		238,816
16	DMA FTH Fort Harrison Lighting Upgrades					
17				564,250		564,250
18	DMA FTH Maintenance Shop HVAC & Controls Upgrade					
19				1,486,733		1,486,733
20	DMA FTH Training Equipment Site Retro-Commissioning					
21				569,969		569,969

22 (4) (A) THERE IS APPROPRIATED \$100,000 FROM THE GENERAL FUND FOR THE BIENNIUM BEGINNING JULY

23 1, 2023, TO THE LEGISLATIVE SERVICES DIVISION TO SUPPORT THE ACTIVITIES OF THE SELECT COMMITTEE ON

24 CORRECTIONS CAPACITY AND SYSTEM DEVELOPMENT ESTABLISHED IN SUBSECTION (4)(B).

25 (B) THERE IS A SELECT COMMITTEE ON CORRECTIONS CAPACITY AND SYSTEM DEVELOPMENT. THE

26 COMMITTEE IS COMPOSED OF SIX MEMBERS:

27 (I) THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES APPOINTED BY THE SPEAKER OF THE HOUSE OF

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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	
22 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.					
25 MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)					
	4,700,000				4,700,000

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	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 <u>3</u> 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 PURCHASE PLANS FOR PRISON HOUSING THAT WERE CONSTRUCTED IN ANOTHER STATE, PROVIDED THOSE PLANS CAN
2 BE MADE TO COMPLY WITH THE PROFESSIONAL SERVICES REQUIREMENTS OF TITLE 18, CHAPTER 2, AND TITLE 37,
3 CHAPTERS 65 AND 67.

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

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1	FWP Wildlife Habitat Improvement Program Renewal				
2		2,000,000		2,000,000	
3	FWP Wildlife Habitat Management & Maintenance				
4		1,140,000	2,765,000	3,905,000	
5	FWP Upland Game Bird Enhancement Program				
6		1,908,000	600,000	2,508,000	
7	FWP Migratory Bird Wetland Program				
8		500,000		500,000	
9	FWP Future Fisheries				
10		2,000,000		2,000,000	
11	FWP Hatcheries Maintenance				
12		2,000,000		2,000,000	
13	FWP POR Grant Programs				
14		5,000,000	6,000,000	11,000,000	
15	FWP Fish Connectivity				
16		548,454	1,278,992	140,234	1,967,680
17	FWP PALA Access Program				
18		1,000,000		1,000,000	

(2) 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:

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

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

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

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

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

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

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

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

<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>	

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1 (10) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN THE
2 INDICATED 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>DEQ SCHOOL LEAD REMEDIATION</u>					
	<u>3,700,000</u>				<u>3,700,000</u>

8 STATE SPECIAL REVENUES CONSIST OF FUNDS FROM THE ACCOUNT ESTABLISHED IN 75-11-313.

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

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

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

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

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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 **SECTION 12. SECTION 75-11-313, MCA, IS AMENDED TO READ:**

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

7 (2) There is deposited in the fund:

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

9 (b) money received by the board in the form of gifts, grants, reimbursements, or appropriations,
10 from any source, intended to be used for the purposes of this fund;

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

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

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

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

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

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

17 (c) to reimburse owners and operators for eligible costs caused by a release from a petroleum
18 storage tank and approved by the board; ~~and~~

19 (d) for repayment of any advance and any loan made pursuant to 17-6-225, plus interest earned
20 on the advance or loan; and

21 (e) for lead remediation in school districts.

22 (4) Whenever the board accepts a loan from the board of investments pursuant to 17-6-225, the
23 receipts from the fees provided for in 75-11-314 in each fiscal year until the loan is repaid are pledged and
24 dedicated for the repayment of the loan in an amount sufficient to meet the repayment obligation for that fiscal
25 year."

26

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

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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
23 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 (ii) facility or structure used as a component part of a highway or water conservation project.
- 2 (2) "Capital development" means a:
- 3 (a) renovation, construction, alteration, site, or utility project with a total cost of \$2.5 million or
- 4 more;
- 5 (b) new facility with a construction cost of \$250,000 or more; or
- 6 (c) purchase of real property for which an appropriation is required to fund the purchase.
- 7 (3) "Construction" includes construction, repair, alteration, renovation, and equipping and
- 8 furnishing during construction, repair, or alteration.
- 9 (4) "Division" means the architecture and engineering division of the department of administration.
- 10 (5) "High-performance building" means a building that integrates and optimizes all major high-
- 11 performance building attributes, including but not limited to:
- 12 (a) energy efficiency;
- 13 (b) durability;
- 14 (c) life-cycle performance; and
- 15 (d) occupant productivity.
- 16 (6) (a) "Long-range building program-eligible building" means a building, facility, or structure
- 17 eligible for major repair account funding that:
- 18 (i) is owned or fully operated by a state agency and for which the operation and maintenance are
- 19 funded with state general fund money; or
- 20 (ii) ~~that~~ supports academic missions of the university system and for which the operation and
- 21 maintenance are funded with current unrestricted university funds.
- 22 (b) The term does not include a building, facility, or structure:
- 23 (i) owned or operated by a state agency and for which the operation and maintenance are entirely
- 24 funded with state special revenue, federal special revenue, or proprietary funds; or
- 25 (ii) that supports nonacademic functions of the university system and for which the operation and
- 26 maintenance are funded from nonstate and nontuition sources.
- 27 (7) (a) "Major repair" means:

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- 1 (i) a renovation, alteration, replacement, or repair project with a total cost of less than \$2.5 million;
- 2 (ii) a site or utility improvement with a total cost of less than \$2.5 million; or
- 3 (iii) a new facility with a total construction cost of less than \$250,000.

4 (b) The term does not include operations and maintenance as defined in this section.

5 (8) (a) "New facility" means the construction of a new building on state property regardless of
6 funding source and includes:

- 7 (i) an addition to an existing building; and
- 8 (ii) the enclosure of space that was not previously fully enclosed.

9 (b) The term does not include the replacement of state-owned space that is demolished or that is
10 otherwise removed from state use if the total construction cost of the replacement space is less than \$2.5
11 million.

12 (9) "Operations and maintenance" means operational costs and regular, ongoing, and routine
13 repairs and maintenance funded in an agency operating budget that does not extend the capacity, function, or
14 lifespan of a facility.

15 (10) "Replacement cost of existing long-range building program-eligible building" means the current
16 replacement value of all long-range building program-eligible buildings included in the statewide facility
17 inventory and condition assessment as provided in 17-7-202."

18
19 **NEW SECTION. Section 16. Project management and supervision.** Up to \$2,000,000 is
20 appropriated from the major repair long-range building program account to the architecture and engineering
21 division for the purposes of contracted services or modified positions, and associated operating expenses, to
22 expeditiously implement [~~sections 1 through 9~~] [SECTIONS 1 THROUGH 11]. The division is authorized to transfer
23 the appropriation among the necessary fund types for supervision and project management.

24
25 **NEW SECTION. Section 17. APPROPRIATION FOR GALLATIN COLLEGE -- PROCESS. (1) FOR THE**
26 **BIENNIUM BEGINNING JULY 1, 2023, THERE IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION \$23.5 MILLION**
27 **OF CAPITAL DEVELOPMENT FUNDS AND \$22.5 MILLION OF AUTHORITY ONLY FOR CONSTRUCTION OF A FACILITY FOR**

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1 GALLATIN COLLEGE CONTINGENT ON THE FOLLOWING:

2 (A) THE BUDGET DIRECTOR SHALL ADOPT A PLAN FOR THE DEVELOPMENT OF GALLATIN COLLEGE
3 THROUGH THE PROCESS SET FORTH IN SUBSECTION (2).

4 (B) FUNDS MUST BE RAISED FOR THE \$22.5 MILLION OF AUTHORITY ONLY CAPITAL PROJECT FUNDING. THE
5 VALUE OF ANY LAND DONATED FOR THE CAPITAL PROJECT MAY NOT BE CONSIDERED AS PART OF MEETING THE
6 FUNDRAISING REQUIREMENT.

7 (C) PLAN DEVELOPMENT, DELIVERY, AND ADOPTION MUST BE COORDINATED THROUGH THE DEPARTMENT
8 OF ADMINISTRATION. ALL PLAN DEVELOPMENT EFFORTS, CONTENT, AND COSTS ARE THE RESPONSIBILITY OF THE
9 MONTANA UNIVERSITY SYSTEM.

10 (D) NO CAPITAL DEVELOPMENT FUNDING OR AUTHORITY FOR THE CAPITAL PROJECT MAY BE USED FOR
11 PLAN DEVELOPMENT OR FOR LAND ACQUISITION.

12 (E) THE DEPARTMENT OF ADMINISTRATION MAY NOT PROCEED WITH CAPITAL PROJECT PROCUREMENT,
13 PLANNING, OR DESIGN UNTIL THE CONDITIONS IN SUBSECTIONS (1)(A) AND (1)(B) HAVE BEEN MET.

14 (2) THE PROCESS FOR THE BUDGET DIRECTOR TO ADOPT A PLAN FOR GALLATIN COLLEGE IS AS FOLLOWS:

15 (A) THE MONTANA UNIVERSITY SYSTEM'S PLAN MUST BE PRESENTED THROUGH THE DEPARTMENT OF
16 ADMINISTRATION TO THE BUDGET DIRECTOR BY SEPTEMBER 30, 2023.

17 (B) THE BUDGET DIRECTOR SHALL REVIEW THE PLAN SUBMITTED IN SUBSECTION (2)(A) AND MAY:

18 (i) ADOPT THE PLAN; OR

19 (ii) NOT ADOPT THE PLAN AND PROVIDE THE UNIVERSITY SYSTEM WITH INFORMATION DETAILING THE
20 REASON THE PLAN WAS NOT ADOPTED.

21 (C) IF THE PLAN IS NOT ADOPTED PURSUANT TO SUBSECTION (2)(B)(II), THE MONTANA UNIVERSITY SYSTEM
22 HAS 60 DAYS TO RESPOND TO THE BUDGET DIRECTOR WITH AMENDMENTS TO THE PLAN. THE PROCESS IN SUBSECTION
23 (2)(B) WILL THEN BE REPEATED UNTIL PLAN ADOPTION OR THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF
24 ADMINISTRATION TO TERMINATE THE PLAN DEVELOPMENT EFFORT.

25 (D) IF THE BUDGET DIRECTOR DIRECTS THE DEPARTMENT OF ADMINISTRATION TO TERMINATE THE PLAN
26 DEVELOPMENT EFFORT, THE APPROPRIATION FOR CAPITAL DEVELOPMENT FUNDS IN SUBSECTION (1) WILL REVERT TO
27 THE CAPITAL DEVELOPMENT FUND AND THE APPROPRIATION FOR AUTHORITY IN SUBSECTION (1) WILL REVERT TO ITS

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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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Drafter: Julie Johnson, 406-444-4024

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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

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

- 2023

68th Legislature 2023

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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

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

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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.

