

1 HOUSE BILL NO. 5
2 INTRODUCED BY M. HOPKINS, J. FITZPATRICK
3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL
6 DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2025; PROVIDING FOR OTHER
7 MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE
8 CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT TO THE MAJOR REPAIR
9 LONG-RANGE BUILDING PROGRAM ACCOUNT AND FOR A TRANSFER OF FUNDS FROM THE STATE
10 GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT;
11 PROVIDING FUNDING FOR RATE INCREASES TO ALLOW CONSTRUCTION; AMENDING THE
12 DEFINITION OF AN LRBP-ELIGIBLE BUILDING; PROVIDING FOR AN EMERGENCY SHELTER FACILITY
13 INFRASTRUCTURE GRANT PROGRAM AND CRITERIA; PROVIDING RULEMAKING AUTHORITY;
14 AMENDING SECTION SECTIONS 17-7-201, AND 75-11-313, MCA; AMENDING SECTION 1(4), CHAPTER
15 468, LAWS OF 2021, AND SECTION 2(1), CHAPTER 461, LAWS OF 2021; AND PROVIDING AN
16 IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

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

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

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

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

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

- 2023

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Drafter: Katy Callon, 406-444-4421

HB0005.003.009

1 MUS UM MCGILL HALL EXPANSION

2 62,256

62,256

3 MUS MSU-N HEALTH AND RECREATION COMPLEX

4 585,240

585,240

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

8
9 NEW SECTION. SECTION 4. PROJECT PRIORITY. (1) THE DEPARTMENT OF ADMINISTRATION SHALL
10 PRIORITIZE THE FOLLOWING PROJECTS AT THE MONTANA STATE PRISON AS FIRST AND SHALL MOVE AT ALL DELIBERATE
11 SPEED TO HAVE EACH PROJECT UNDER CONTRACT BY SEPTEMBER 30, 2023:

12 DOC MSP REPLACE LOW-SIDE HOUSING

13 DOC MSP PERIMETER FENCE ENHANCEMENT

14 DOC MSP UNIT F WATER SUPPLY UPGRADE

15 DOC MSP WATER LINE REPLACEMENT

16 DOC MSP ENTRY/STAFF SERVICES ADDITION TO WALLACE BUILDING

17 DOC MSP REPLACE ROOFS

18 DOC MSP XANTHOPOULOS BUILDING REPAIRS

19 DOC MSP NEW MULTI-PURPOSE PROGRAMS BUILDING

20 (2) TO EXPEDITE CONSTRUCTION OF NEW LOW-SIDE HOUSING UNITS AT MONTANA STATE PRISON, THE
21 DEPARTMENT OF ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT OF CORRECTIONS, IS AUTHORIZED TO
22 PURCHASE PLANS FOR PRISON HOUSING THAT WERE CONSTRUCTED IN ANOTHER STATE, PROVIDED THOSE PLANS CAN
23 BE MADE TO COMPLY WITH THE PROFESSIONAL SERVICES REQUIREMENTS OF TITLE 18, CHAPTER 2, AND TITLE 37,
24 CHAPTERS 65 AND 67.

25
26 NEW SECTION. Section 5. Capital improvements projects. (1) The following money is
27 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making

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1 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the
 2 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,
 3 authority, or both among the necessary fund types for these projects:

4	Agency/Project	State	Federal	Authority	Total
5		Special	Special	Only	
6		Revenue	Revenue	Source	
7	FWP Statewide Admin Facilities Major Maintenance				
8		1,931,500		5,000,000	6,931,500
9	FWP Signage & Wayfinding Updates				
10		<u>2,500,000</u>			<u>2,500,000</u>
11		<u>1,250,000</u>			<u>1,250,000</u>
12	FWP Erosion Control				
13		2,673,000			2,673,000
14	FWP Community Ponds				
15		200,000			200,000
16	FWP Forest Management				
17		100,000	300,000		400,000
18	FWP Site Maintenance Upgrades & Improvements				
19		4,572,450	1,770,750	1,193,000	7,536,200
20	FWP Shooting Range Development				
21		1,000,000	3,000,000		4,000,000
22	FWP Wildlife Habitat Improvement Program Renewal				
23			2,000,000		2,000,000
24	FWP Wildlife Habitat Management & Maintenance				
25		1,140,000	2,765,000		3,905,000
26	FWP Upland Game Bird Enhancement Program				
27		1,908,000	600,000		2,508,000

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1	FWP Migratory Bird Wetland Program			
2		500,000		500,000
3	FWP Future Fisheries			
4		2,000,000		2,000,000
5	FWP Hatcheries Maintenance			
6		2,000,000		2,000,000
7	FWP POR Grant Programs			
8		5,000,000	6,000,000	11,000,000
9	FWP Fish Connectivity			
10		548,454	1,278,992	140,234
11	FWP PALA Access Program			
12		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:

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

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

26	Agency/Project	State	Federal	Authority	Total
27		Special	Special	Only	

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1		Revenue	Revenue	Sources	
2	DMA Federal Spending Authority		3,000,000		3,000,000

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

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

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

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

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

19	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
20		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
21		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
22	<u>CHIPPEWA CREE CULTURAL CEREMONY BUILDING REPAIR</u>				<u>1,000,000</u>	<u>1,000,000</u>
23	<u>CHIPPEWA CREE LANGUAGE IMMERSION SCHOOL</u>				<u>1,000,000</u>	<u>1,000,000</u>

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

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

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1 EVERGREEN DRIVE TO THE INTERSECTION OF POPLAR ROAD.

2	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
3		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
4		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
5	<u>MDT US HIGHWAY 2 SIDEWALKS PROJECT</u>				<u>1,000,000</u>	<u>1,000,000</u>

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

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

9	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
10		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
11		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
12	<u>CITY OF MISSOULA RIVERFRONT TRAIL PUBLIC PLAZA</u>				<u>250,000</u>	<u>250,000</u>

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

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

17	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
18		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
19		<u>REVENUE</u>	<u>REVENUE</u>	<u>SOURCES</u>	<u>SOURCES</u>	
20	<u>DEPARTMENT OF REVENUE/MINERAL COUNTY STATE LINE SURVEY</u>				<u>76,000</u>	<u>76,000</u>

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

22 (10) THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY IN THE
 23 INDICATED AMOUNTS FOR GRANTS THAT REDUCE EXPOSURE TO LEAD IN DRINKING WATER AT SCHOOL FACILITIES:

24	<u>AGENCY/PROJECT</u>	<u>STATE</u>	<u>FEDERAL</u>	<u>AUTHORITY</u>	<u>OTHER</u>	<u>TOTAL</u>
25		<u>SPECIAL</u>	<u>SPECIAL</u>	<u>ONLY</u>	<u>FUNDING</u>	
26		<u>REVENUE</u>	<u>REVENUE</u>		<u>SOURCES</u>	
27	<u>DEQ SCHOOL LEAD REMEDIATION</u>					

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1 3,700,000 3,700,000

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

3 (11) The following money is appropriated to the department of commerce in the indicated amount
 4 for a grant to the city of Columbus for a grant for water and sewer system upgrades and repairs:

<u>Agency/Project</u>	<u>State</u>	<u>Federal</u>	<u>Authority</u>	<u>Other</u>	<u>Total</u>
	<u>Special</u>	<u>Special</u>	<u>Only</u>	<u>Funding</u>	
	<u>Revenue</u>	<u>Revenue</u>	<u>Sources</u>	<u>Sources</u>	
<u>Department of Commerce/City of Columbus water and sewer system upgrades and repairs</u>					
				<u>1,000,000</u>	<u>1,000,000</u>

10 Other funding sources consist of one-time-only state general fund money.

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

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

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

26 NEW SECTION. Section 8. Capital projects -- contingent funds. (1) If a capital project is financed,
 27 in whole or in part, with appropriations contingent upon the receipt of other funding sources, the department of