

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 AND SECTION~~ 17-7-201, AND ~~75-11-313,~~ MCA; AMENDING  
15 SECTION 1(4), CHAPTER 468, LAWS OF 2021, AND SECTION 2(1), CHAPTER 461, LAWS OF 2021; AND  
16 PROVIDING AN 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 - 2nd Reading-yellow - Requested by: Steve Fitzpatrick - (S) Committee of Whole**

- 2023  
68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.004.002

1 REPRESENTATIVES; AND

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

3 (I) — THREE MEMBERS FROM THE JUDICIAL BRANCH, LAW ENFORCEMENT, AND JUSTICE INTERIM BUDGET  
4 COMMITTEE APPOINTED BY THE PRESIDING OFFICER OF THE LEGISLATIVE FINANCE COMMITTEE IN CONSULTATION WITH  
5 THE VICE PRESIDING OFFICER OF THE LEGISLATIVE FINANCE COMMITTEE;

6 (II) — THREE MEMBERS FROM THE LONG-RANGE PLANNING INTERIM BUDGET COMMITTEE APPOINTED BY THE  
7 PRESIDING OFFICER OF THE LEGISLATIVE FINANCE COMMITTEE IN CONSULTATION WITH THE VICE PRESIDING OFFICER OF  
8 THE LEGISLATIVE FINANCE COMMITTEE; AND

9 (III) — THREE MEMBERS FROM THE LAW AND JUSTICE INTERIM COMMITTEE APPOINTED BY THE PRESIDING  
10 OFFICER OF THE LAW AND JUSTICE INTERIM COMMITTEE IN CONSULTATION WITH THE VICE PRESIDING OFFICER OF THE  
11 LAW AND JUSTICE INTERIM COMMITTEE.

12 (C) — COMMITTEE MEMBERS ARE ENTITLED TO RECEIVE COMPENSATION AND EXPENSES AS PROVIDED IN 5-2-  
13 302.

14 (D) — THE COMMITTEE SHALL MEET QUARTERLY IN COORDINATION WITH THE LEGISLATIVE FINANCE  
15 COMMITTEE SCHEDULE.

16 (D)(E) — THE LEGISLATIVE SERVICES DIVISION AND THE LEGISLATIVE FISCAL DIVISION SHALL PROVIDE STAFF  
17 ASSISTANCE TO THE COMMITTEE.

18 (E)(F) — THE COMMITTEE SHALL FOCUS ON ESTABLISHING AN OVERALL FRAMEWORK AND IMPLEMENTATION  
19 PLAN FOR LONG-TERM FACILITY NEEDS AND IMMEDIATE IMPROVEMENTS FOR DEPARTMENT OF CORRECTIONS FACILITIES.

20 (F)(G) — THE COMMITTEE SHALL PREPARE A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS, AND  
21 DRAFT LEGISLATION IF APPROPRIATE. THE COMMITTEE SHALL SUBMIT THE FINAL REPORT TO THE LEGISLATIVE FINANCE  
22 COMMITTEE AND THE LAW AND JUSTICE INTERIM COMMITTEE FOR APPROVAL PRIOR TO SUBMISSION TO THE GOVERNOR  
23 AND THE 69TH LEGISLATURE.

24  
25 NEW SECTION. Section 3. Capital development projects appropriations and authorizations. (1)

26 The following money is appropriated to the department of administration for the indicated capital development  
27 projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of

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1 authorization. The department of administration is authorized to transfer the appropriations, authority, or both  
 2 among the necessary fund types for these projects:

3	Agency/Project LRBP	State	Federal	Authority	Total
4	CD	Special	Special	Only	
5	Fund	Revenue	Revenue	Sources	

6	Agriculture Supplemental Ag Analytical Lab (combined with Vet Diagnostic Lab and MSU Wool Lab)				
7	3,858,000				3,858,000

8 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

9	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)				
10	4,700,000				4,700,000

11 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

12	Livestock Supplemental Vet Diagnostic Lab (combined with Ag Analytical Lab and MSU Wool Lab)				
13	2,200,000				2,200,000

14 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

15	DPHHS DOA Supplemental State Health Lab Renovation				
16	7,000,000				7,000,000

17 Funding may be utilized by the department for project completion in the event federal grant funding  
 18 expenditure deadlines are not extended for the project in section 3, Chapter 461, Laws of 2021.

19	Revenue Supplemental Liquor Warehouse Expansion				
20	14,315,750				14,315,750
21	<u>15,515,750</u>				<u>15,515,750</u>

22 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

23	DPHHS Supplemental SWMVH Cottage Connectors				
24	5,250,000				5,250,000

25 Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.

26	MUS MT Tech Supplemental Heating Systems Upgrade				
27	2,750,000				2,750,000

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1	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
2	MUS UMW Supplemental Block Hall Renovation		
3	3,600,000		3,600,000
4	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
5	MDT Supplemental West Yellowstone Airport Terminal		
6	9,000,000		9,000,000
7	Funding may be utilized on a prorated basis by the department for project completion in the event		
8	additional federal grant funding is not received for inflationary and scope adjustments for the project in section		
9	2, Chapter 422, Laws of 2019, and section 3, Chapter 461, Laws of 2021, up to an aggregate of \$41,500,000		
10	from all sources. This aggregate amount does not limit or restrict 17-7-211.		
11	DMA Supplemental Silver Bow Readiness Center		
12	5,491,795	8,221,254	13,713,049
13	Inflationary adjustment funding is provided for the project in section 9, Chapter 476, Laws of 2019, and		
14	section 3, Chapter 461, Laws of 2021.		
15	MUS MAES Supplemental MAES Research Labs		
16	<del>1,604,050</del>		<del>1,604,050</del>
17	<u>4,396,000</u>		<u>4,396,000</u>
18	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
19	DOA Supplemental Mazurek Building Renovation		
20	5,000,000		5,000,000
21	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
22	DNRC Supplemental ELO Facilities & Shop		
23	<del>2,180,235</del>		<del>2,180,235</del>
24	<u>3,003,553</u>		<u>3,003,553</u>
25	Inflationary adjustment funding is provided for the project in section 1, Chapter 468, Laws of 2021.		
26	MUS MSU Supplemental Haynes Hall Ventilation Upgrades		
27	3,400,000		3,400,000

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1	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
2	2021.		
3	MDT Supplemental Lincoln Airport SRE Building		
4		250,000	250,000
5	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
6	FWP Supplemental Havre Area Office		
7		2,199,600	2,820,000
8	Inflationary and scope adjustment funding is provided for the project in section 3, Chapter 461, Laws of		
9	2021.		
10	<u>DOJ MLEA SUPPLEMENTAL SCENARIO BUILDING</u>		
11		<u>2,600,000</u>	<u>2,600,000</u>
12	<u>INFLATIONARY ADJUSTMENT FUNDING IS PROVIDED FOR THE PROJECT IN SECTION 3, CHAPTER 461, LAWS OF</u>		
13	<u>2021.</u>		
14	FWP Supplemental Glasgow Headquarters		
15		3,100,000	3,100,000
16	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
17	2019.		
18	FWP Supplemental Lewistown Area Office		
19		4,000,000	4,000,000
20	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
21	2019.		
22	FWP Supplemental MT Wild Avian Rehab Building		
23		550,000	550,000
24	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 461, Laws of		
25	2021.		
26	DMA Supplemental Billings AFRC Unheated Storage		
27		46,208	92,416

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1	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
2	DMA Supplemental Havre Unheated Building		
3		63,318	63,318
			126,636
4	Inflationary adjustment funding is provided for the project in section 3, Chapter 461, Laws of 2021.		
5	DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance		
6		15,903,000	15,903,000
7	<u>UP TO \$10,000,000 OF FUNDING FOR THE PROJECT MUST BE USED FOR REBUILDING A WATER LINE</u>		
8	<u>CONSTRUCTED BY THE STATE SERVING THE MONTANA STATE HOSPITAL. THE DEPARTMENT IS AUTHORIZED TO</u>		
9	<u>CONTRACT WITH ANACONDA-DEER LODGE COUNTY FOR THIS PORTION OF THE PROJECT AT THE DEPARTMENT'S</u>		
10	<u>DISCRETION.</u>		
11	DOC MSP Replace Low-Side Housing		
12		135,000,000	135,000,000
13		<u>156,000,000</u>	<u>156,000,000</u>
14	<u>DOC MSP UNIT D RENOVATION</u>		
15		<u>18,840,831</u>	<u>18,840,831</u>
16	DPHHS Statewide Behavioral Health Initiative		
17		113,000,000	113,000,000
18	<u>DOC FLATHEAD COUNTY PRERELEASE CENTER</u>		
19		<u>7,000,000</u>	<u>7,000,000</u>
20	DOA Renovation of Capitol Complex Offices, Implement ROWS		
21		50,000,000	50,000,000
22	DOA State Capitol Building Improvements		
23		26,316,458	26,316,458
24		<u>28,695,418</u>	<u>28,695,418</u>
25	DNRC Seedling Nursery Improvements		
26		2,797,320	2,797,320
27	DOC MSP Water Line Replacement		

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1	3,000,000		3,000,000
2	DOC MSP Entry/Staff Services Addition to Wallace Building		
3	12,800,000		12,800,000
4	DOC MSP Replace Roofs		
5	5,600,000		5,600,000
6	DOC MSP Xanthopoulos Building Repairs		
7	2,950,000		2,950,000
8	DOC MSP New Multi-Purpose Programs Building		
9	9,000,000		9,000,000
10	DLI Job Service Great Falls Building Renovation		
11	5,767,880		5,767,880
12	MUS UM FLBS Water and Sewer Systems		
13	2,500,000		2,500,000
14	DOC MWP Roof Replacement		
15	5,000,000		5,000,000
16	DMA Billings Readiness and Innovation Campus		
17	<hr/>		<hr/>
17	12,840,000		12,840,000
18	<u>26,840,000</u>	<u>52,000,000</u>	<u>78,840,000</u>
19	DNRC Clearwater Replacement Bunkhouse		
20	1,189,178		1,189,178
21	DNRC Anaconda Bunkhouse		
22	1,180,962		1,180,962
23	DNRC NELO Fire Ready Room		
24	445,491		445,491
25	DNRC CLO Dispatch Center Expansion		
26	545,000		545,000
27	DPHHS MMHNCC Heated Storage Unit		

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1	<u>720,000</u>		<u>720,000</u>
2	<u>360,000</u>		<u>360,000</u>
3	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>		
4	<u>1,000,000</u>	<u>6,000,000</u>	<u>7,000,000</u>
5	<u>6,000,000</u>		<u>6,000,000</u>
6	<u>FEDERAL FUNDS MUST BE OBLIGATED PRIOR TO PROJECT INITIATION.</u>		
7	DOA Old Board of Health Renovation (Legislative Staff Space)		
8	3,500,000		3,500,000
9	DOC MSP Check Point Bldg / Wallace Entry Security Enhancements		
10	3,000,000		3,000,000
11	DMA Helena Readiness HVAC & Temp Control Upgrade		
12	798,420	2,542,248	3,340,668
13	MUS HC Acquire and Renovate Airport Hangar		
14	3,600,000		3,600,000
15	DMA DES State Emergency Coordination Center Expansion		
16	6,581,000		6,581,000
17	MUS UM Clapp Building Renovation		
18	27,000,000	10,000,000	37,000,000
19	<del>MUS MSU Lewis Hall Code &amp; Instructional Renovations</del>		
20	<u>23,500,000</u>	<u>8,000,000</u>	<u>31,500,000</u>
21	DOA 5 Last Chance Gulch Atrium Renovation		
22	<u>15,558,029</u>		<u>15,558,029</u>
23	MUS MT Tech Engineering Hall Renovation		
24	8,000,000		8,000,000
25	MUS MT Tech Main Hall Renovation		
26	30,000,000		30,000,000
27	MUS MAES BART Life-Safety & Programmatic Improvements		



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1		10,000,000		10,000,000
2	DMA DES State Disaster Warehouse			
3		5,704,000		5,704,000
4	MUS UMW Campus Storage/Warehouse Building			
5		1,250,000		1,250,000
6	<u>MUS MSU-N HEALTH AND RECREATION COMPLEX</u>			
7		<u>25,000,000</u>		<u>25,000,000</u>
8	FWP Makoshika Campground Improvement & Addition			
9		2,500,000	2,500,000	5,000,000
10	<del>FWP Beartooth WMA Facilities Upgrade</del>			
11	<del>_____</del>	<del>8,000,000</del>	<del>_____</del>	<del>8,000,000</del>
12	FWP Agency Staff Housing			
13		7,500,000		7,500,000
14	<del><u>FWP MILES CITY TRAIN DEPOT RENOVATION</u></del>			
15	<del>_____</del>	<del><u>2,000,000</u></del>	<del>_____</del>	<del><u>2,000,000</u></del>
16	<del><u>UP TO \$1.5 MILLION OF STATE SPECIAL REVENUE FUNDS CONSIST OF FUNDS FROM 15-65-121(2)(E). UP TO</u></del>			
17	<del><u>\$500,000 OF STATE SPECIAL REVENUE FUNDS CONSIST OF FUNDS FROM THE ACCOUNT ESTABLISHED IN 23-1-105.</u></del>			
18	FWP Central Services Site Upgrades			
19	<del>_____</del>	<del>17,168,330</del>	<del>_____</del>	<del>17,168,330</del>
20		<u>10,343,330</u>		<u>10,343,330</u>
21	MDT Combination Facility Great Falls			
22		12,600,000		12,600,000
23	MDT Combination Facility Kalispell			
24		11,000,000		11,000,000
25	MDT Combination Facility Missoula			
26		10,500,000		10,500,000
27	MUS MSU Supplemental Facilities Yard Relocation			

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1		8,000,000	8,000,000
2	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
3	2019.		
4	MUS UM Supplemental Mansfield Library Remodel		
5		4,000,000	4,000,000
6	Inflationary and scope adjustment funding is provided for the project in section <u>3</u> 4, Chapter 461, Laws		
7	of 2021.		
8	MUS MSU Supplemental Visual Communications Building		
9		4,000,000	4,000,000
10	Inflationary and scope adjustment funding is provided for the project in section 2, Chapter 422, Laws of		
11	2019.		
12	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
13		92,000,000	92,000,000
14	MUS MSU Gianforte Hall, School of Computing		
15		50,000,000	50,000,000
16	MUS UM Adams Center - Student Athlete Locker Rooms		
17		6,000,000	6,000,000
18	MUS UM Campuswide Classroom Upgrades		
19		6,000,000	6,000,000
20	MUS UM Liberal Arts Building / Eck Hall		
21		4,000,000	4,000,000
22	MUS MSU Indoor Practice Facility		
23		15,000,000	15,000,000
24	MUS MT Tech Highlands College Indoor Pole Barn		
25		2,000,000	2,000,000
26	DOA Statewide Federal Spending Authority		
27		5,000,000	5,000,000

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1 DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths  
2 590,000 590,000

3 MUS UM MCGILL HALL EXPANSION  
4 3,000,000 3,000,000

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

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

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

16 (3) (A) EXCEPT AS PROVIDED IN SUBSECTION (3)(B), FUNDS APPROPRIATED FOR THE DOC FLATHEAD  
17 COUNTY PRERELEASE CENTER MAY NOT BE EXPENDED UNTIL THE DEPARTMENT HAS RECEIVED ALL NECESSARY  
18 AUTHORIZATIONS FOR THE PROPOSED PRERELEASE CENTER.

19 (B) TO SECURE ACQUISITION OF THE FACILITY, THE DEPARTMENT OF CORRECTIONS MAY ENTER INTO A  
20 PURCHASE OPTION AGREEMENT WITH THE OWNER NOT TO EXCEED 18 MONTHS IN LENGTH. THE OPTION FEE MUST BE  
21 FULLY CREDITED TO THE PURCHASE PRICE IF THE DEPARTMENT OF CORRECTIONS PURCHASES THE FACILITY. THE  
22 OPTION FEE MAY NOT EXCEED 1% OF THE PURCHASE PRICE.

23 ~~(2)~~(4) The following money is appropriated to the department of military affairs for the indicated  
24 capital development projects from the indicated sources. Funds not requiring legislative appropriation are  
25 included for the purpose of authorization.

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

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1	Revenue	Revenue	Sources
2	DMA FTH Aviation Facility HVAC & Temperature Control Upgrade		
3		3,580,365	3,580,365
4	DMA FTH Collective Training Housing Facility		
5		3,000,000	3,000,000
6	DMA FTH Ready Building Addition		
7		4,700,000	4,700,000
8	DMA FTH Training Site HVAC and Controls Upgrade		
9		2,574,002	2,574,002

10 ~~(3)~~(5) (a) Pursuant to 17-7-210, if construction of a new facility requires an immediate or future  
 11 increase in state funding for program expansion or operations and maintenance, the legislature may not  
 12 authorize the new facility unless it also appropriates funds for the increase in state funding for program  
 13 expansion and operations and maintenance. To the extent allowed by law, at the end of each fiscal year  
 14 following approval of a new facility but prior to receipt of its certificate of occupancy, the appropriation made in  
 15 this subsection ~~(3)~~(5) reverts to its originating fund. The appropriation is not subject to the provisions of 17-7-  
 16 304.

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

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

22	Agency/Project	General	State	Federal	Authority	Total
23		Fund	Special	Special	Only	
24			Revenue	Revenue	Sources	
25	Department of Corrections					
26	BSB Re-Entry Services, Acadia Facility					
27		563,536				563,536

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1 Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter  
2 401, Laws of 2021.

3 DOC MSP Replace Low-Side Housing  
4 176,560 176,560

5 DOC MSP Entry/Staff Services Addition to Wallace Building  
6 184,000 184,000

7 DOC MSP New Multi-Purpose Programs Building  
8 \_\_\_\_\_ 100,340 \_\_\_\_\_ 103,340

9 103,040 103,040

10 DOC FLATHEAD COUNTY PRERELEASE CENTER

11 3,388,560 3,388,560

12 THE APPROPRIATION FOR THE DOC FLATHEAD COUNTY PRERELEASE CENTER IS FOR THE FISCAL YEAR

13 BEGINNING JULY 1, 2024.

14 DOC Motor Vehicle Ventilation & Paint/Sandblasting Booths  
15 40,000 40,000

16 Department of Fish, Wildlife, and Parks  
17 FWP Beartooth WMA Facilities Upgrade  
18 80,000 80,000

19 FWP Agency Staff Housing  
20 225,000 225,000

21 FWP Central Services Site Upgrades  
22 128,762 128,762

23 FWP MILES CITY TRAIN DEPOT OPERATIONS AND MAINTENANCE  
24 \_\_\_\_\_ 73,000 \_\_\_\_\_ 73,000

25 OPERATIONS AND MAINTENANCE ARE FROM FWP STATE SPECIAL REVENUE FUNDS.

26 Department of Military Affairs

27 DMA Billings LAASF

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1		200,000	200,000
2	Operations and maintenance funding is appropriated in accordance with section 7(13), Chapter 401,		
3	Laws of 2021.		
4	DMA DES State Emergency Coordination Center Expansion		
5	54,012		54,012
6	DMA FTH Collective Training Housing Facility		
7		34,000	34,000
8	DMA FTH Ready Building Addition		
9		26,472	26,472
10	Department of Natural Resources and Conservation		
11	DNRC Clearwater Replacement Bunkhouse		
12	27,650		27,650
13	DNRC Anaconda Bunkhouse		
14	33,180		33,180
15	DNRC NELO Fire Ready Room		
16	17,696		17,696
17	DNRC CLO Dispatch Center Expansion		
18	10,700		10,700
19	Department of Public Health and Human Services		
20	<del>DPHHS Statewide Behavioral Health Initiative</del>		
21		2,503,280	2,503,280
22	DPHHS MMHNCC Heated Storage Unit		
23	21,312		21,312
24	<u>DPHHS SOUTHWEST MONTANA VETERANS HOME SIXTH COTTAGE</u>		
25		<u>1,200,000</u>	<u>1,200,000</u>
26	DMA DES State Disaster Warehouse		
27	62,000		62,000

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1	Montana Department of Transportation		
2	MDT Combination Facility Great Falls		
3		53,900	53,900
4	MDT Combination Facility Kalispell		
5		42,400	42,400
6	MDT Combination Facility Missoula		
7		41,800	41,800
8	Montana University System		
9	MUS MSU Supplemental Wool Lab (combined with Vet Diagnostic Lab and Ag Analytical Lab)		
10		520,695	520,695
11	MUS HC Acquire and Renovate Airport Hangar		
12		188,133	188,133
13	MUS UMW Campus Storage/Warehouse Building		
14		63,975	63,975
15	MUS MSU Mark and Robyn Jones MSU College of Nursing (5 locations)		
16		4,000,154	4,000,154
17	MUS MSU Gianforte Hall, School of Computing		
18		1,730,858	1,730,858
19	MUS MSU Indoor Practice Facility		
20			athletics/auxiliaries funds only
21	MUS MT Tech Highlands College Indoor Pole Barn		
22		42,671	42,671
23	<u>MUS UM MCGILL HALL EXPANSION</u>		
24		<u>62,256</u>	<u>62,256</u>
25	<u>MUS MSU-N HEALTH AND RECREATION COMPLEX</u>		
26		<u>585,240</u>	<u>585,240</u>
27	(d) After receipt of a certificate of occupancy, funding appropriated in subsection <del>(3)(c)(5)(C)</del> to the		

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1 Montana university system Wool Lab and in section 1(4)(c), Ch. 468, L. 2021, to the department of agriculture  
2 Ag Analytical Lab shall be transferred each biennium to the department of livestock.

3

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

7 DOC MSP REPLACE LOW-SIDE HOUSING

8 DOC MSP PERIMETER FENCE ENHANCEMENT

9 DOC MSP UNIT F WATER SUPPLY UPGRADE

10 DOC MSP WATER LINE REPLACEMENT

11 DOC MSP ENTRY/STAFF SERVICES ADDITION TO WALLACE BUILDING

12 DOC MSP REPLACE ROOFS

13 DOC MSP XANTHOPOULOS BUILDING REPAIRS

14 DOC MSP NEW MULTI-PURPOSE PROGRAMS BUILDING

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

20

21 NEW SECTION. Section 5. Capital improvements projects. (1) The following money is  
22 appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making  
23 capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the  
24 purpose of authorization. The department of fish, wildlife, and parks is authorized to transfer the appropriations,  
25 authority, or both among the necessary fund types for these projects:

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



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1            NEW SECTION. Section 12. Transfer of funds. By August 15, 2023, the department of  
2 administration shall make the following transfers:

3            (1)     \$41,420,091 from the capital developments long-range building program account established in  
4 17-7-209 to the major repair long-range building program account established in 17-7-221.

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

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

9            (3)     \$6,000,000 FROM THE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING  
10 PROGRAM ACCOUNT ESTABLISHED IN 17-7-209.

11

12            SECTION 13. SECTION 15-65-121, MCA, IS AMENDED TO READ:

13            ~~"15-65-121. (Temporary) Distribution of tax proceeds. (1) The proceeds of the tax imposed by 15-~~  
14 ~~65-111 must, in accordance with the provisions of 17-2-124, be deposited in an account in the state special~~  
15 ~~revenue fund to the credit of the department. The department may spend from that account in accordance with~~  
16 ~~an expenditure appropriation by the legislature based on an estimate of the costs of collecting and disbursing~~  
17 ~~the proceeds of the tax. Before allocating the balance of the tax proceeds in accordance with the provisions of~~  
18 ~~17-2-124 and as provided in subsections (2)(a) through (2)(i) of this section, the department shall determine the~~  
19 ~~expenditures by state agencies for in-state lodging for each reporting period and deduct 4% of that amount from~~  
20 ~~the tax proceeds received each reporting period. The department shall distribute the portion of the 4% that was~~  
21 ~~paid with federal funds to the agency that made the in-state lodging expenditure and deposit 30% of the amount~~  
22 ~~deducted less the portion paid with federal funds in the state general fund.~~

23            ~~(2)     The balance of the tax proceeds received each reporting period and not deducted pursuant to~~  
24 ~~the expenditure appropriation, deposited in the state general fund, distributed to agencies that paid the tax with~~  
25 ~~federal funds, or deposited in the heritage preservation and development account must be transferred to an~~  
26 ~~account in the state special revenue fund to the credit of the department of commerce for tourism promotion~~  
27 ~~and promotion of the state as a location for the production of motion pictures and television commercials, to the~~

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1 ~~Montana historical interpretation state special revenue account, to the Montana historical society, to the~~  
2 ~~university system, to the state tribal economic development commission, and to the department of fish, wildlife,~~  
3 ~~and parks, as follows:~~

4 (a) ~~1% to the Montana historical society to be used for the installation or maintenance of roadside~~  
5 ~~historical signs and historic sites;~~

6 (b) ~~2.5% to the university system for the establishment and maintenance of a Montana travel~~  
7 ~~research program;~~

8 (c) ~~6.5% to the department of fish, wildlife, and parks for the maintenance of facilities in state parks~~  
9 ~~that have both resident and nonresident use;~~

10 (d) ~~1.4% to the invasive species state special revenue account established in 80-7-1004;~~

11 (e) ~~60.3% to be used directly by the department of commerce, in part to renovate the Miles City~~  
12 ~~train depot;~~

13 (f) ~~(i) except as provided in subsection (2)(f)(ii), 22.5% to be distributed by the department to~~  
14 ~~regional nonprofit tourism corporations in the ratio of the proceeds collected in each tourism region to the total~~  
15 ~~proceeds collected statewide; and~~

16 ~~(ii) if 22.5% of the proceeds collected annually within the limits of a city, consolidated city-county,~~  
17 ~~resort area, or resort area district exceeds \$35,000, 50% of the amount available for distribution to the regional~~  
18 ~~nonprofit tourism corporation in the region where the city, consolidated city-county, resort area, or resort area~~  
19 ~~district is located, to be distributed to the nonprofit convention and visitors bureau in that city, consolidated city-~~  
20 ~~county, resort area, or resort area district;~~

21 (g) ~~0.5% to the state special revenue account provided for in 90-1-135 for use by the state tribal~~  
22 ~~economic development commission established in 90-1-131 for activities in the Indian tourism region;~~

23 (h) ~~2.6% to the Montana historical interpretation state special revenue account established in 22-3-~~  
24 ~~115; and~~

25 (i) ~~2.7% or \$1 million, whichever is less, to the Montana heritage preservation and development~~  
26 ~~account provided for in 22-3-1004. The Montana heritage preservation and development commission shall~~  
27 ~~report on the use of funds received pursuant to this subsection (2)(i) to the legislative finance committee on a~~

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1 ~~semiannual basis, in accordance with 5-11-210.~~

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), to the Montana historical interpretation state special revenue account~~  
16 ~~pursuant to subsection (2)(h), and to the Montana heritage preservation and development account pursuant to~~  
17 ~~subsection (2)(i) are subject to appropriation by the legislature. (Terminates June 30, 2027—sec. 12, Ch. 563, L.~~  
18 ~~2021.)~~

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

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1 ~~deposit 30% of the amount deducted less the portion paid with federal funds in the state general fund. The~~  
2 ~~amount of \$400,000 each year must be deposited in the Montana heritage preservation and development~~  
3 ~~account provided for in 22-3-1004.~~

4 ~~(2) — The balance of the tax proceeds received each reporting period and not deducted pursuant to~~  
5 ~~the expenditure appropriation, deposited in the state general fund, distributed to agencies that paid the tax with~~  
6 ~~federal funds, or deposited in the heritage preservation and development account must be transferred to an~~  
7 ~~account in the state special revenue fund to the credit of the department of commerce for tourism promotion~~  
8 ~~and promotion of the state as a location for the production of motion pictures and television commercials, to the~~  
9 ~~Montana historical interpretation state special revenue account, to the Montana historical society, to the~~  
10 ~~university system, to the state tribal economic development commission, and to the department of fish, wildlife,~~  
11 ~~and parks, as follows:~~

12 ~~(a) — 1% to the Montana historical society to be used for the installation or maintenance of roadside~~  
13 ~~historical signs and historic sites;~~

14 ~~(b) — 2.5% to the university system for the establishment and maintenance of a Montana travel~~  
15 ~~research program;~~

16 ~~(c) — 6.5% to the department of fish, wildlife, and parks for the maintenance of facilities in state parks~~  
17 ~~that have both resident and nonresident use;~~

18 ~~(d) — 1.4% to the invasive species state special revenue account established in 80-7-1004;~~

19 ~~(e) — 63% to be used directly by the department of commerce;~~

20 ~~(f) — (i) except as provided in subsection (2)(f)(ii), 22.5% to be distributed by the department to~~  
21 ~~regional nonprofit tourism corporations in the ratio of the proceeds collected in each tourism region to the total~~  
22 ~~proceeds collected statewide; and~~

23 ~~(ii) — if 22.5% of the proceeds collected annually within the limits of a city, consolidated city-county,~~  
24 ~~resort area, or resort area district exceeds \$35,000, 50% of the amount available for distribution to the regional~~  
25 ~~nonprofit tourism corporation in the region where the city, consolidated city-county, resort area, or resort area~~  
26 ~~district is located, to be distributed to the nonprofit convention and visitors bureau in that city, consolidated city-~~  
27 ~~county, resort area, or resort area district;~~

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1 ~~(g) — 0.5% to the state special revenue account provided for in 90-1-135 for use by the state tribal~~  
2 ~~economic development commission established in 90-1-131 for activities in the Indian tourism region; and~~  
3 ~~(h) — 2.6% to the Montana historical interpretation state special revenue account established in 22-3-~~  
4 ~~115.~~  
5 ~~(3) — If a city, consolidated city-county, resort area, or resort area district qualifies under 15-68-~~  
6 ~~820(5)(b)(iii) or this section for funds but fails to either recognize a nonprofit convention and visitors bureau or~~  
7 ~~submit and gain approval for an annual marketing plan as required in 15-65-122, then those funds must be~~  
8 ~~allocated to the regional nonprofit tourism corporation in the region in which the city, consolidated city-county,~~  
9 ~~resort area, or resort area district is located.~~  
10 ~~(4) — If a regional nonprofit tourism corporation fails to submit and gain approval for an annual~~  
11 ~~marketing plan as required in 15-65-122, then those funds otherwise allocated to the regional nonprofit tourism~~  
12 ~~corporation may be used by the department of commerce for tourism promotion and promotion of the state as a~~  
13 ~~location for the production of motion pictures and television commercials.~~  
14 ~~(5) — The tax proceeds received that are transferred to a state special revenue account pursuant to~~  
15 ~~subsections (2)(a) through (2)(c), (2)(e), and (2)(f) are statutorily appropriated to the entities as provided in 17-~~  
16 ~~7-502.~~  
17 ~~(6) — The tax proceeds received that are transferred to the invasive species state special revenue~~  
18 ~~account pursuant to subsection (2)(d) and to the Montana historical interpretation state special revenue account~~  
19 ~~pursuant to subsection (2)(h) are subject to appropriation by the legislature."~~

21 **Section 13.** Section 17-7-201, MCA, is amended to read:

22 **"17-7-201. Definitions.** In this part, the following definitions apply:

- 23 (1) (a) "Building" includes a:
- 24 (i) building, facility, or structure constructed or purchased wholly or in part with state money;
  - 25 (ii) building, facility, or structure at a state institution;
  - 26 (iii) building, facility, or structure owned or to be owned by a state agency, including the department
- 27 of transportation.

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

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

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

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

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

21  
22 NEW SECTION. Section 16. DEFINITIONS. FOR THE PURPOSES OF ~~[SECTIONS 16 THROUGH 23]~~ ~~[SECTIONS~~  
23 ~~17 THROUGH 24]~~ ~~[sections 16 through 23]~~, UNLESS OTHERWISE PROVIDED, THE FOLLOWING DEFINITIONS APPLY:

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

27 (2) "NONPROFIT CORPORATION" MEANS A DOMESTIC CORPORATION, AS DESIGNATED IN ACCORDANCE

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1 WITH 35-2-126, THAT PROVIDES EMERGENCY SHELTER FOR THE HOMELESS.

2

3 NEW SECTION. Section 17. EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT -- USE. (1)

4 THERE IS WITHIN THE STATE SPECIAL REVENUE FUND PROVIDED FOR IN 17-2-102 AN ACCOUNT CALLED THE EMERGENCY

5 SHELTER FACILITY INFRASTRUCTURE ACCOUNT TO PROVIDE GRANT FUNDING TO NONPROFIT CORPORATIONS THAT

6 PROVIDE EMERGENCY SHELTER FOR THE HOMELESS AND FOR ADMINISTRATIVE COSTS RELATED TO ADMINISTERING THE

7 GRANTS. THE DEPARTMENT OF COMMERCE SHALL ADMINISTER THE ACCOUNT.

8 (2) UP TO 3% OF THE FUNDS APPROPRIATED IN ~~[SECTION 23]~~ ~~[SECTION 24]~~ ~~[section 23]~~ MAY BE

9 ALLOCATED FOR THE DEPARTMENT'S ADMINISTRATIVE COSTS.

10

11 NEW SECTION. Section 18. EMERGENCY SHELTER FACILITY INFRASTRUCTURE GRANTS AUTHORIZATION.

12 (1) THE DEPARTMENT OF COMMERCE IS AUTHORIZED TO MAKE UP TO \$5 MILLION IN GRANTS TO NONPROFIT

13 CORPORATIONS FOR EMERGENCY SHELTER, PROPERTY ACQUISITION, CONSTRUCTION, SHELTER SPACE ACQUISITION, OR

14 GENERAL CAPITAL IMPROVEMENT PROJECTS. THE GRANTS AUTHORIZED IN THIS SECTION ARE SUBJECT TO THE

15 CONDITIONS SET FORTH IN ~~[SECTION 20]~~ ~~[SECTION 24]~~ ~~[section 20]~~.

16 (2) THE DEPARTMENT OF COMMERCE MUST RECEIVE PROPOSALS FROM NONPROFIT CORPORATIONS FOR

17 EMERGENCY SHELTER FACILITY INFRASTRUCTURE PROJECTS.

18 (3) FUNDING FOR PROJECTS MAY BE PROVIDED ONLY AS LONG AS THERE ARE SUFFICIENT FUNDS

19 AVAILABLE FROM THE AMOUNT THAT WAS DEPOSITED OR TRANSFERRED INTO THE EMERGENCY SHELTER FACILITY

20 INFRASTRUCTURE ACCOUNT FOR GRANTS ESTABLISHED IN ~~[SECTION 17(1)]~~ ~~[SECTION 18(1)]~~ ~~[section 17(1)]~~. FUNDING

21 FOR THESE PROJECTS MUST BE MADE AVAILABLE IN THE ORDER THAT THE GRANT RECIPIENTS SATISFY THE CONDITIONS

22 DESCRIBED IN ~~[SECTION 20]~~ ~~[SECTION 24]~~ ~~[section 20]~~.

23

24 NEW SECTION. Section 19. ELIGIBILITY -- SUBMISSION DEADLINE -- PRIORITY -- RULEMAKING AUTHORITY.

25 (1) A NONPROFIT CORPORATION MAY APPLY TO THE DEPARTMENT OF COMMERCE FOR EMERGENCY SHELTER FACILITY

26 INFRASTRUCTURE GRANTS UNDER ~~[SECTION 18]~~ ~~[SECTION 19]~~ ~~[section 18]~~.

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

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

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

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

4

5 NEW SECTION. Section 20. CONDITION OF GRANTS -- DISBURSEMENT OF FUNDS. (1) THE DISBURSEMENT

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

7 ~~[SECTION 19]~~ ~~[section 18]~~ IS SUBJECT TO COMPLETION OF THE FOLLOWING CONDITIONS:

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

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

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

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

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

13 ALLOCATED GRANTS.

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

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

16 TO THE DEPARTMENT.

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

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

19 COMPLY WITH GENERALLY ACCEPTED INDUSTRY STANDARDS.

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

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

22

23 NEW SECTION. Section 21. MAXIMUM STATE FUNDING AVAILABLE -- PER PROJECT -- PER COUNTY. (1)

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

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

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

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



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1 APPLICATIONS.

2

3 NEW SECTION. Section 22. TRANSFER OF FUNDS. BY JULY 1, 2023, THE STATE TREASURER SHALL  
4 TRANSFER \$5 MILLION FROM THE GENERAL FUND TO THE EMERGENCY SHELTER FACILITY INFRASTRUCTURE ACCOUNT  
5 ESTABLISHED IN ~~SECTION 17~~ ~~SECTION 18~~ ~~section 17~~.

6

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

11

12 NEW SECTION. Section 24. MONTANA PUBLIC SAFETY DEVELOPMENT CENTER STATE SPECIAL REVENUE  
13 ACCOUNT. (1) THERE IS A MONTANA PUBLIC SAFETY DEVELOPMENT CENTER ACCOUNT IN THE STATE SPECIAL REVENUE  
14 FUND TO BE ADMINISTERED BY THE DEPARTMENT OF MILITARY AFFAIRS.

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

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

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

19 (i) CLASSROOM RENTAL;

20 (ii) PROPERTY RENTAL;

21 (iii) SITE TRAINING PACKAGES; AND

22 (iv) MONTANA PUBLIC SAFETY DEVELOPMENT CENTER MEMBERSHIPS;

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

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

26

27 NEW SECTION. Section 25. CAPITAL DEVELOPMENT PROJECT APPROPRIATIONS AND AUTHORIZATION. (1)

**Amendment - 2nd Reading-yellow - Requested by: Steve Fitzpatrick - (S) Committee of Whole**

- 2023  
68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0005.004.002

1 THERE IS APPROPRIATED TO THE DEPARTMENT OF ADMINISTRATION \$5 MILLION OF CAPITAL DEVELOPMENT FUNDS AND  
2 \$5 MILLION OF FEDERAL SPECIAL REVENUE FOR THE BIENNIUM BEGINNING JULY 1, 2023, FOR CONSTRUCTION OF A  
3 FACILITY FOR THE DEPARTMENT OF MILITARY AFFAIRS MONTANA PUBLIC SAFETY DEVELOPMENT CENTER, CONTINGENT  
4 ON THE FOLLOWING:

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

8 (I) MONTANA FIRE CHIEFS ASSOCIATION;

9 (II) MONTANA SHERIFFS AND PEACE OFFICERS ASSOCIATION;

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

12 (IV) COUNTY ATTORNEY OFFICE; AND

13 (V) MONTANA REFINERY REPRESENTATIVE.

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

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

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

24 (2) (A) PURSUANT TO 17-7-210, IF CONSTRUCTION OF A NEW FACILITY REQUIRES AN IMMEDIATE OR  
25 FUTURE INCREASE IN STATE FUNDING FOR PROGRAM EXPANSION OR OPERATIONS AND MAINTENANCE, THE LEGISLATURE  
26 MAY NOT AUTHORIZE THE NEW FACILITY UNLESS IT ALSO APPROPRIATES FUNDS FOR THE INCREASE IN STATE FUNDING  
27 FOR PROGRAM EXPANSION AND OPERATIONS AND MAINTENANCE. TO THE EXTENT ALLOWED BY LAW, AT THE END OF

**Amendment - 2nd Reading-yellow - Requested by: Steve Fitzpatrick - (S) Committee of Whole**

- 2023

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1 EACH FISCAL YEAR FOLLOWING APPROVAL OF A NEW FACILITY BUT PRIOR TO RECEIPT OF ITS CERTIFICATE OF  
2 OCCUPANCY, THE APPROPRIATION MADE IN THIS SUBSECTION (2) REVERTS TO ITS ORIGINATING FUND. THE  
3 APPROPRIATION IS NOT SUBJECT TO THE PROVISIONS OF 17-7-304.

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

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

10  
11 NEW SECTION. Section 26. APPROPRIATION. FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, THERE IS  
12 APPROPRIATED \$7,169,257 FROM GENERAL FUND TO THE DEPARTMENT OF CORRECTIONS TO INCREASE PROVIDER  
13 RATES TO ALLOW FOR THE CONSTRUCTION OF A SPECIAL SERVICES FACILITY.

14  
15 **Section 27.** SECTION 2, CHAPTER 461, LAWS OF 2021, IS AMENDED TO READ:

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

19 "MSU BLGS Art Annex Safety and System UpgradesDemolition

20 1,200,000 500,000

1,200,000 500,000"

21  
22 NEW SECTION. Section 28. Severability. If a part of [this act] is invalid, all valid parts that are  
23 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,  
24 the part remains in effect in all valid applications that are severable from the invalid applications.

25  
26 **Section 29.** Section 1, Chapter 468, Laws of 2021, is amended to read:

27 **Section 1. Authorizations of and appropriations for capital projects.** The portion of section

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1 1(4)(c), Chapter 468, Laws of 2021, appropriating money from the general fund to the Montana university  
2 system for program expansion or operations and maintenance for the indicated new facility is amended to read:

3 "Montana University System

4 UM Forestry Conservation & Science Lab \$798,659 from the general fund

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

6  
7 COORDINATION SECTION. Section 30. COORDINATION INSTRUCTION. IF HOUSE BILL NO. 839 IS NOT

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

10  
11 NEW SECTION. Section 31. Effective date. [This act] is effective on passage and approval.

12  
13 NEW SECTION. Section 32. TERMINATION. ~~[SECTION 12]~~ ~~[SECTION 13]~~ ~~[Section 12]~~ TERMINATES JUNE  
14 30, 2025.

15 - END -