

Amendment - 1st Reading-white - (H) Appropriations

- 2023

68th Legislature 2023

Drafter: Julie Johnson, 406-444-4024

HB0839.001.001

1 HOUSE BILL NO. 839
2 INTRODUCED BY K. SEEKINS-CROWE, S. KERNS, S. GIST, G. NIKOLAKAKOS, L. SHELDON-GALLOWAY,
3 S. GALLOWAY, B. BARKER, J. KASSMIER, N. HASTINGS
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A CAPITAL PROJECT; AUTHORIZING THE
6 CONSTRUCTION OF THE MONTANA PUBLIC SAFETY DEVELOPMENT CENTER; PROVIDING
7 APPROPRIATIONS FOR THE CAPITAL PROJECT AND OPERATIONS AND MAINTENANCE OF THE
8 FACILITY; ESTABLISHING A STATE SPECIAL REVENUE ACCOUNT; PROVIDING FOR OTHER MATTERS
9 RELATED TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE
10 GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT;
11 PROVIDING DEFINITIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14

15 NEW SECTION. **Section 1. Definitions.** As used in [this act], unless the context clearly indicates
16 otherwise, the following definitions apply:

- 17 (1) "Capital development" means capital projects provided for in 17-7-201(2).
18 (2) "Capital project" means the planning, design, renovation, construction, alteration, replacement,
19 furnishing, repair, improvement, site, utility, or land acquisition project provided for in [sections 1 through 6].
20 (3) "MPSDC" means the Montana public safety development center.
21 (4) "Committee" means the steering committee that decides the priorities of the MPSDC
22 development, services, and operations. The committee will be made up of a representative from each of the
23 following:
24 (a) Montana fire chiefs association;
25 (b) Montana sheriffs and peace officers association;
26 (c) department of military affairs, division of disaster and emergency services, who serves as the
27 committee chair;
28 (d) county attorney office; and

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1 NEW SECTION. **Section 4. Capital development project appropriations and authorization.** (1)

2 There is appropriated to the department of administration \$25 million for the Montana public safety
3 development center from the capital developments long-range building program account established in 17-7-
4 209.

5 (2) (a) The department of military affairs is authorized to enter into a long-term land lease with the
6 city of Great Falls for the purposes of the capital project.

7 (b) The facility, inclusive of all real property and site improvements within the land lease boundary,
8 must be the property of the state.

9 (c) The land lease may not require the state to sell or remove the facility, any real property, or
10 improvements, unless agreed to by the state at its sole discretion. This restriction shall survive any sale of the
11 land and all costs for removal of the facility, or any real property or improvements, shall be the sole
12 responsibility of the landowner. The state shall have right of first refusal if the land is offered for sale by the city
13 of Great Falls.

14 (d) Should the state elect at any time to sell the facility and any real property or improvements, the
15 provision in subsection (2)(c) is void.

16 (e) Any costs for a land lease or operations and maintenance may not be provided from the capital
17 project appropriation.

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

24 (b) It is the legislature's intent that the appropriations in this subsection (3) become part of the
25 department of military affairs' base budget for the biennium beginning July 1, ~~2025~~ 2023.

26 (c) There is appropriated \$360,000 from the general fund and \$400,000 from the state special
27 revenue account established in [section 3] for the biennium beginning July 1, ~~2025~~ 2023, to the department of
28 military affairs for program expansion or operations and maintenance for the Montana public safety

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1 development center.

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3 NEW SECTION. Section 5. Legislative consent. The appropriation authorized in [section 4]

4 constitutes legislative consent for the Montana public safety development center within the meaning of 18-2-
5 102.

6

7 NEW SECTION. Section 6. Increase in state funding for program expansion or operations and

8 **maintenance.** If an immediate or future increase in state funding for program expansion or operations and
9 maintenance is required for the Montana public safety development center but the increase is not appropriated
10 by the 68th legislature, the new facility in ~~[section 2]~~ [section 4] is not appropriated or authorized as provided in
11 17-7-210.

12

13 NEW SECTION. Section 7. Transfer of funds. By August 15, 2023, the state treasurer shall transfer
14 \$25 million from the general fund to the capital developments long-range building program account established
15 in 17-7-209.

16

17 NEW SECTION. Section 8. Severability. If a part of [this act] is invalid, all valid parts that are
18 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications,
19 the part remains in effect in all valid applications that are severable from the invalid applications.

20

21 NEW SECTION. Section 9. Effective date. [This act] is effective on passage and approval.

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