

HOUSE BILL NO. 5

INTRODUCED BY J. FITZPATRICK

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR MAJOR REPAIR AND CAPITAL DEVELOPMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2027; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT AND A TRANSFER OF FUNDS FROM THE GENERAL FUND TO A STATE SPECIAL REVENUE FUND; PROVIDING FOR A MODIFICATION TO THE LONG-RANGE BUILDING PROGRAM; INCREASING CERTAIN VALUE THRESHOLDS FROM \$150,000 TO \$300,000; AMENDING SECTIONS 17-7-201, 17-7-202, 17-7-210, AND 17-7-223, MCA; AMENDING SECTION 3, CHAPTER 763, LAWS OF 2023; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Definitions.** For the purposes of [sections 1 through 10], unless otherwise stated, the following definitions apply:

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

(2) "Capital development" has the same meaning as provided in 17-7-201(2).

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

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

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

Amendment - 1st Reading-white - Requested by: (H) Appropriations

- 2025

69th Legislature 2025

Drafter: Erica Thomas,

HB0005.001.006

Warehouse in Section 3, Chapter 763, Laws of 2023. If constructed within the FMS #3, the operations and maintenance funding for either or both the projects in Section 3, Chapter 763, Laws of 2023, shall transfer to the acquired FMS #3.

DMA Billings Readiness Center and Innovation Campus (BRIC)

98,500 (General Fund)	98,500 (Federal Special Revenue)	197,000 (Total)
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Funds for operations and maintenance are provided for the project in Section 3, Chapter 763, Laws of 2023, and are contingent on the sale of the existing Billings Armed Forces Reserve Center (BAFRC). After the sale, operations and maintenance funding currently appropriated to the department of military affairs for the existing Billings Armed Forces Reserve Center shall then be added to and utilized for the new Billings Readiness Center operations and maintenance.

DOA Governor's Office, 710 Madison Avenue

270,250 (General Fund)	270,250 (Total)
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Funds for operations and maintenance are provided upon completion of the transfer of the real property to the department of administration.

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

(d) Appropriations in subsection (6)(b) are contingent on the passage and approval of a bill that includes an appropriation for the construction of the indicated projects in subsection (6)(b).

NEW SECTION. Section 4. Capital improvement projects. (1) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of fish, wildlife, and parks is 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	Source	

FWP Statewide Administrative Facilities Major Maintenance

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1		2,800,000		2,800,000
2	FWP	Fishing Access Site Major Maintenance		
3		1,590,000		1,590,000
4	FWP	Statewide Hatchery Maintenance and Repairs		
5		2,500,000		2,500,000
6	FWP	Fishing Access Site Noxious Weed Control		
7		250,000		250,000
8	FWP	Wildlife Management Area Maintenance		
9		3,380,000		3,380,000
10	FWP	State Parks Major Maintenance		
11		4,500,000		4,500,000
12	FWP	State Parks Noxious Weed Control		
13		250,000		250,000
14	FWP	Statewide Wildlife Habitat Management Areas Improvements		
15		680,000		680,000
16	FWP	Future Fisheries		
17		2,000,000		2,000,000
18	FWP	Contract Programs		
19		2,250,000		2,250,000
20	FWP	Fish Connectivity		
21		1,635,000	1,775,000	3,410,000
22	FWP	Lewis and Clark Caverns State Park Water System		
23		692,500	692,500	1,385,000
24	FWP	Community Fishing Ponds		
25		200,000		200,000
26	FWP	Parks and Outdoor Recreation Site Development and Upgrades		
27		2,300,000	510,000	2,810,000
28	FWP	Upland Game Bird Enhancement Program		

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1		2,000,000	2,000,000
2	FWP	Dam Maintenance	
3		90,000	90,000
4	FWP	Region 5 HQ Pemberton Lane Improvements	
5		255,000	255,000
6	FWP	Grants Programs	
7		5,800,000	7,900,000
8	FWP	Bannack State Park Historic Preservation	
9		250,000	250,000
10	FWP	Forest Management Program	
11		250,000	250,000
12	FWP	Tongue/Yellowstone/Muggli Fishery Infrastructure Improvements	
13		1,430,000	1,430,000

(2) Authority is granted to the Montana university system for the purpose of making capital improvements to campus facilities statewide. Authority-only funds may include donations, grants, auxiliary funds, proprietary funds, nonstate funds, and university funds. Use of authority-only funds may be allocated at not more than \$2,500,000 per project and are subject to the provisions of 18-2-103. 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:

20	Agency/Project	LRBP	State	Federal	Authority	Total
21		Fund	Special	Special	Only	
22			Revenue	Revenue	Sources	
23	General Spending Authority, MUS All Campuses				20,000,000	20,000,000

(3) The following money is appropriated to the department of transportation in the indicated amount for the purpose of making capital improvements to statewide facilities as indicated and are subject to the provisions of 18-2-103:

27	Agency/Project	LRBP	State	Federal	Authority	Total
28		Fund	Special	Special	Only	

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	Revenue	Revenue	Sources
Maintenance, Repair, and Small Projects, Statewide			
	3,000,000		3,000,000

(4) 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. The capital improvements are subject to the provisions of 18-2-103. 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:

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

(5) The following money is appropriated to the department of environmental quality in the indicated amount for the purpose of leaking petroleum tank remediation to address risks to human health or the environment at petroleum sites where there is no readily apparent potentially liable person or entity that is financially viable:

Agency/Project	LRBP	State	Federal	Authority	Total
Fund	Special	Special	Only		
	Revenue	Revenue	Sources		
Remediation of Leaking Petroleum Tanks					
		2,000,000			2,000,000

NEW SECTION. Section 5. Land acquisition appropriations. The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purposes of land acquisition, land leasing, easement purchase, or development agreements. The department of fish, wildlife, and parks is 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				

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(b) construct an addition to an existing building or facility."

Section 15. Section 3, Chapter 763, Laws of 2023, is amended to read:

The portion of section 3(1), Chapter 763, Laws of 2023, appropriating money from the capital development account to the department of administration for the indicated capital project is amended to read:

"DPHHS MSH Compliance Upgrades for Recertification & Deferred Maintenance

15,903,000

15,903,000

~~Up to \$10,000,000 of funding for the project must be used for rebuilding a water line constructed by the state serving the Montana State Hospital. The department is authorized to contract with Anaconda-Deer Lodge County for this portion of the project at the department's discretion."~~

NEW SECTION. **Section 16. Transfer of funds.** (1) By June 30, 2027, the department of administration shall transfer \$150 million from the general fund to the capital developments long-range building program account established in 17-7-209.

(2) By July 1, 2025, the state treasurer shall transfer \$2,000,000 from the general fund to a state special account for the purpose of leaking petroleum tank remediation.

COORDINATION SECTION. **Section 17. Coordination instruction.** If both [LC0544] and [this act] are passed and approved, then the reference to the department of environmental quality in [section 8 of this act] must be changed to "the department of administration architecture and engineering division".

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

NEW SECTION. **Section 19. Effective date.** [This act] is effective on passage and approval.

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