

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

HOUSE BILL NO. 92

INTRODUCED BY K. GILLAN, B. MCCARTHY, B. TASH, J. TESTER, M. LINDEEN, P. CLARK
BY REQUEST OF THE ENVIRONMENTAL QUALITY COUNCIL

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR GRANTS TO LOCAL GOVERNMENTS FOR THE DEVELOPMENT OR IMPLEMENTATION OF GROWTH POLICIES; AUTHORIZING THE DEPARTMENT OF COMMERCE TO ADMINISTER THE GRANTS AND ADOPT RULES; ESTABLISHING CONDITIONS AND LIMITATIONS ON THE GRANTS; APPROPRIATING FUNDS FOR THE GRANTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A CONTINGENT TERMINATION DATE."

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

NEW SECTION. **Section 1. Grants to local governments for development of growth policies.**

(1) The department of commerce shall make grants to eligible local governments for the development or implementation of growth policies that meet the requirements of 76-1-601.

(2) (a) The department shall award grants to eligible local governments as long as funds are available. Subject to subsection (2)(b), a grant may not exceed 50% of the eligible costs or \$50,000, whichever is less. The grant recipient shall contribute matching funds using cash or in-kind contributions.

(b) The department may award grants to eligible local governments for up to 75% of the eligible costs if the local government demonstrates severe economic hardship.

(c) NO MORE THAN \$50,000 IN EACH FISCAL YEAR MAY BE AWARDED FOR ACTIVITIES WITHIN A SINGLE JURISDICTIONAL AREA ESTABLISHED PURSUANT TO TITLE 76, CHAPTER 1, PART 5.

(3) For the purposes of this section, "eligible local governments" means ~~planning boards established pursuant to 76-1-101, cities, towns, and counties~~ THE GOVERNING BODY OR ANY COMBINATION OF THE GOVERNING BODIES OF CITIES, TOWNS, OR COUNTIES that agree to:

(a) develop a growth policy that meets all of the requirements of 76-1-601 or to carry out a specific implementation activity described in a growth policy that meets all of the requirements of 76-1-601;

(b) contribute matching funds, as provided in subsection (2), using cash or in-kind contributions;

(c) complete the growth policy or implementation activity within 2 years of the award of the grant;

1 and

2 (d) refund the grant award if all activities agreed to under subsection (3)(a) are not completed
3 within 2 years, unless the department grants an extension as provided in subsection (6).

4 (4) Any costs directly attributable to the activities described in subsection (3)(a) are eligible costs.
5 Local governments are encouraged to solicit private donations to pay for their share of eligible costs.

6 (5) The department may adopt rules to administer this section, including rules governing
7 applications for grants, procedures for awarding grants, and the use of granted funds. The department
8 shall develop a simple application procedure and accountability system. APPLICATIONS FOR GRANTS TO DEVELOP
9 GROWTH POLICIES MUST BE GIVEN PRIORITY OVER APPLICATIONS FOR GRANTS TO CARRY OUT IMPLEMENTATION ACTIVITIES.

10 (6) The department may authorize up to 1 additional year for completion of a growth policy or
11 implementation activity if the department finds that the grant recipient is making reasonable progress
12 toward completion of the growth policy or activity.

13 (7) The deadline for grant applications must be no later than December 31 of each year.

14

15 NEW SECTION. Section 2. Appropriation. (1) There is appropriated \$1 million from the general
16 fund to the department of commerce for each of the fiscal years 2002 and 2003.

17 (2) The appropriation in subsection (1) must be used to provide grants to eligible local
18 governments for the development or implementation of growth policies as provided in [section 1]. The
19 department may not use more than \$50,000 of the amount appropriated each fiscal year to pay for the
20 costs of administering the grant program.

21

22 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an
23 integral part of Title 90, chapter 1, part 1, and the provisions of Title 90, chapter 1, part 1, apply to
24 [section 1].

25

26 NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

27

28 NEW SECTION. SECTION 5. CONTINGENT TERMINATION. [THIS ACT] TERMINATES ON JULY 1 OF THE FIRST
29 YEAR OF ANY BIENNIUM FOR WHICH LESS THAN \$100,000 IS APPROPRIATED FOR THE GRANT PROGRAM ESTABLISHED IN
30 [SECTION 1].

31

- END -