

1 HOUSE BILL NO. 586

2 INTRODUCED BY D. LENZ, V. RICCI

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING GRANT FUNDS TO THE DEPARTMENT OF
5 NATURAL RESOURCES AND CONSERVATION FOR THE CITY OF LAUREL WATER INTAKE PROJECT;
6 TEMPORARILY REDUCING THE GOVERNOR'S FUNDING AUTHORITY FOR DISASTERS BY A LIKE
7 AMOUNT; PROVIDING CONDITIONS FOR THE GRANT; PROVIDING FOR A TRANSFER OF FUNDS;
8 PROVIDING FOR THE REVERSION OF FUNDS; AMENDING SECTION 10-3-312, MCA; AND PROVIDING AN
9 EFFECTIVE DATE AND A TERMINATION DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12
13 **Section 1.** Section 10-3-312, MCA, is amended to read:
14 **"10-3-312. Maximum expenditure by governor -- appropriation.** (1) Whenever a disaster or an
15 emergency, including an energy emergency as defined in 90-4-302 or an invasive species emergency declared
16 under 80-7-1013, is declared by the governor, there is statutorily appropriated to the office of the governor, as
17 provided in 17-7-502, and, subject to subsection (2), the governor is authorized to expend from the general fund
18 an amount not to exceed ~~\$16 \$13.5 million~~ \$13,457,944.87 in any biennium, minus any amount appropriated
19 pursuant to 10-3-310 in the same biennium. The statutory appropriation in this subsection may be used by any
20 state agency designated by the governor.

21 (2) In the event of the recovery of money expended under this section, the spending authority must be
22 reinstated to a level reflecting the recovery.

23 (3) If a disaster is declared by the president of the United States, there is statutorily appropriated to the
24 office of the governor, as provided in 17-7-502, and the governor is authorized to expend from the general fund
25 an amount not to exceed \$500,000 during the biennium to meet the state's share of the individuals and
26 households grant programs as provided in 42 U.S.C. 5174. The statutory appropriation in this subsection may
27 be used by any state agency designated by the governor.

28 (4) At the end of each biennium, an amount equal to the unexpended and unencumbered balance of the
29 ~~\$16 \$13.5 million~~ statutory appropriation in subsection (1), minus any amount appropriated pursuant to 10-3-310
30 in the same biennium, must be transferred by the state treasurer from the state general fund to the fire

1 suppression account provided for in 76-13-150."

2

3 **NEW SECTION. Section 2. Transfer of funds.** By July 15, 2017, the state treasurer shall transfer
4 \$2,542,055.13 from the general fund to the natural resources projects state special revenue account established
5 in 15-38-302.

6

7 **NEW SECTION. Section 3. Appropriation.** (1) For the biennium beginning July 1, 2017, there is
8 appropriated \$2,542,055.13 to the department of natural resources and conservation from the natural resources
9 projects state special revenue account from the transfer authorized by [section 2] for a grant to the city of Laurel
10 for a water intake project pursuant to 85-1-602.

11 (2) This appropriation constitutes a valid obligation of these funds for purposes of encumbering funds
12 during the biennium beginning July 1, 2017, pursuant to 17-7-302.

13

14 **NEW SECTION. Section 4. Approval of grant.** The legislature, pursuant to 85-1-605, approves the
15 grants listed in [section 3].

16

17 **NEW SECTION. Section 5. Condition of grants.** Disbursement of funds under [sections 2 through 4]
18 for the grant is subject to the following conditions that must be met by the project sponsor:

19 (1) approval of a scope of work and budget for the project by the department of natural resources and
20 conservation;

21 (2) completion of conditions specified at the time of written notification of approved grant authority;

22 (3) execution of a grant agreement with the department; and

23 (4) accomplishment of other specific requirements considered necessary by the department to meet the
24 purpose of the grant as evidenced from the application to the department or from the proposal to the legislature.

25

26 **NEW SECTION. Section 6. Notification -- reversion of funds.** If the grant sponsor listed in [section
27 3] determines that the project identified in [section 3] will not begin before June 30, 2019, the sponsor shall notify
28 the department of natural resources and conservation. Any unencumbered funds for the project must revert to
29 the general fund.

30

