



AN ACT PROVIDING FUNDING AND AUTHORIZATION FOR CAPITAL AND INFRASTRUCTURE PROJECTS STATEWIDE; PROVIDING FUNDING AND AUTHORIZATION FOR SCHOOL FACILITY PROJECTS STATEWIDE; CREATING THE DELIVERING LOCAL ASSISTANCE GRANT PROGRAM; PROVIDING RULEMAKING AUTHORITY; CREATING THE DELIVERING LOCAL ASSISTANCE ACCOUNT FOR GRANTS AND THE LOCAL INFRASTRUCTURE ACCOUNT; APPROPRIATING MONEY TO AGENCIES FOR CAPITAL PROJECTS; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RECLAMATION AND DEVELOPMENT GRANTS PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR FINANCIAL ASSISTANCE TO LOCAL GOVERNMENT INFRASTRUCTURE PROJECTS; AUTHORIZING PROJECT GRANT AMOUNTS; PLACING CONDITIONS UPON GRANTS AND FUNDS; AUTHORIZING THE CREATION OF STATE DEBT THROUGH THE ISSUANCE OF GENERAL OBLIGATION BONDS; TRANSFERRING FUNDS; AMENDING SECTION 90-6-701, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.

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

Section 1. Definitions. For the purposes of [sections 1 through 12], unless otherwise provided, the following definitions apply:

(1) "Capital project" means improvements or the planning, capital construction, environmental cleanup, renovation, or major repair projects authorized in [sections 9 through 12].

(2) "CPA" means the capital projects account provided for in 17-5-803 and 17-5-804.

(3) "Infrastructure projects" means:

- (a) drinking water systems;
- (b) wastewater treatment;
- (c) sanitary sewer or storm sewer systems;

- (d) solid waste disposal and separation systems, including site acquisition, preparation, and monitoring;
- (e) bridges;
- (f) facilities for government administration;
- (g) public safety infrastructure related to law enforcement, fire protection, or emergency services; or
- (h) school district infrastructure projects. A school district infrastructure project means a project:
 - (i) that is related to life safety or security issues;
 - (ii) for major repairs or deferred maintenance to an existing school facility; or
 - (iii) for major improvements or enhancements to an existing school facility.

(4) "Local government" means an incorporated city or town, a county, a consolidated local government, a tribal government, a school district, a county or multicounty water, sewer, irrigation, or solid waste district, or an authority as defined in 75-6-304.

Section 2. Local infrastructure accounts -- use. (1) There is within the state special revenue fund provided for in 17-2-102 an account called the delivering local assistance account for grants to provide grant funding to local governments for local infrastructure projects. The department of commerce shall administer the account.

(2) There is within the state special revenue fund provided for in 17-2-102 an account called the local infrastructure account to provide grants as authorized in [sections 14, 19, and 20]. The department of commerce shall administer the account.

Section 3. Delivering local assistance grant program created -- authorization for local infrastructure project grants. (1) The department of commerce is authorized to make up to \$21.5 million in grants to local governments impacted by natural resource development for infrastructure projects. The grants authorized in this section are subject to the conditions set forth in [section 5].

(2) Of the grants authorized in subsection (1), \$10.75 million must be distributed to local governments for local infrastructure projects as defined in [section 1(3)(a) through (3)(g)].

(3) Of the grants authorized in subsection (1), \$10.75 million must be distributed to local governments for school district infrastructure projects as defined in [section 1(3)(h)]. The department shall prioritize school district infrastructure projects in the following priority order:

(a) projects that solve urgent and serious public health or safety or security problems or that enable public school districts to meet state or federal health or safety standards; and

(b) projects that provide improvements necessary to bring school facilities up to current local, state, and federal codes and standards.

(4) Except as provided in subsection (3), beginning June 1, 2019, the department of commerce shall receive proposals from local governments for infrastructure projects.

(5) Funding for projects may be provided only as long as there are sufficient funds available from the amount that was deposited or transferred into the delivering local assistance account for grants established in [section 2(1)]. Funding for these projects must be made available in the order that the grant recipients satisfy the conditions described in [section 5(1)].

(6) If a grant recipient does not complete all of the conditions described in [section 5(1)] by September 30, 2020, any obligation to the grant recipient is extinguished.

Section 4. Eligibility -- submission deadline -- priority -- rulemaking authority. (1) A local government may apply to the department of commerce for local infrastructure grants under [section 3].

(2) For a project that was submitted for approval to the 66th legislature for funding from the treasure state endowment program but did not receive legislative approval for funding from the program, the amount of a grant for the project under [this act] may not exceed the amount of funding recommended for the project as described in the treasure state endowment program 2021 biennium report to the 66th legislature.

(3) All local governments shall submit grant requests and materials to the department by September 30, 2019, in order to be eligible for funding under [section 3].

(4) The department is authorized to adopt rules or guidelines necessary to implement [this act].

Section 5. Condition of grants -- disbursement of funds. (1) The disbursement of grant funds for the projects chosen by the department of commerce pursuant to [section 3] is subject to completion of the following conditions:

(a) The grant recipient shall document that other funds required for completion of the project are firmly committed.

(b) The grant recipient must have a project management plan that is approved by the department.

(c) The grant recipient must be in compliance with the auditing and reporting requirements provided in 2-7-503 and have established a financial accounting system that the department can reasonably ensure conforms to generally accepted accounting principles. Tribal governments shall comply with auditing and reporting requirements provided for in 2 CFR part 200.

(d) The grant recipient shall execute a grant agreement with the department of commerce.

(e) The grant recipient shall satisfactorily comply with any conditions described in the application (project) summaries section of the treasure state endowment program 2021 biennium report to the 66th legislature.

(f) The grant recipient shall satisfy other specific requirements considered necessary by the department of commerce to accomplish the purpose of the project as evidenced by the application to the department.

(2) With the exception of bridges and facilities defined in [section 1(3)(f) through (3)(h)], all projects must adhere to the design standards required by the department of environmental quality. Recipients of grants under [section 3] that are not subject to the department of environmental quality design standards shall adhere to generally accepted industry standards such as Recommended Standards for Wastewater Facilities or Recommended Standards for Water Works, published by the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, latest edition.

(3) Facility projects as defined in [section 1(3)(f) through (3)(h)] must adhere to the design standards required by applicable regulatory agencies. Recipients of program funds for projects that are not subject to any design standards must comply with generally accepted industry standards.

(4) When applicable, recipients of grants under [section 3] are subject to the requirements of the department of commerce as described in the most recent edition of the Treasure State Endowment Program Project Administration Manual adopted by the department by administrative rule.

Section 6. Disbursement of funds. (1) The department of commerce shall disburse grant funds on a reimbursement basis as grant recipients incur eligible project expenses.

(2) If actual project expenses are lower than the projected expense of the project, the department must reduce the amount of grant funds to be provided to grant recipients.

Section 7. Maximum state funding available for infrastructure -- per project -- per county. The maximum amount of state funding under [sections 3 through 7] may not exceed \$750,000 per project, and the

maximum amount of grant funding under [sections 3 through 7] that may be received in a single county may not exceed \$1.5 million.

Section 8. Appropriations of grants. There is appropriated to the department of commerce \$14 million for the biennium beginning July 1, 2019, from the delivering local assistance account for grants as authorized in [sections 3 through 7].

Section 9. Authorization of and appropriations for capital projects. (1) Upon passage and approval of [this act], the following projects, pursuant to 18-2-102, are authorized and approved and funds are appropriated to the department of administration from the indicated funding sources. Funds not requiring legislative appropriation are included for the purposes of authorization only:

DEPARTMENT OF ADMINISTRATION

Life Safety and Deferred Maintenance,

Statewide \$3 million (CPA)

Life Safety and Deferred Maintenance,

Capitol Complex \$2 million (CPA)

MONTANA UNIVERSITY SYSTEM

Romney Hall - MSU Bozeman \$16 million (CPA) \$7 million (Authority only)
 \$9 million (Long-Range Building Program Account)

MAES Research Labs \$2 million (CPA)

New Dental Clinic, Assisting and Hygiene Lab -

MSUGF \$4.25 million (CPA)

DEPARTMENT OF MILITARY AFFAIRS

Butte-Silver Bow County Armory 5 million (CPA) \$17 million (Federal Special Revenue)

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Montana State Hospital - Sewer Replacement \$4.5 million (CPA)

(2) \$1.3 million is appropriated from the CPA to the department of fish, wildlife, and parks for the Makoshika State Park Waterline.

(3) \$750,000 is appropriated from the CPA to the department of commerce to the credit of the Montana

heritage preservation and development commission for restoration and maintenance of historic properties in Virginia City and Nevada City.

(4) \$750,000 is appropriated from the CPA to the department of corrections to provide a grant to the Dawson County regional prison for roof repairs, HVAC improvements, and electronic improvements in the control room. The facility shall report on the use of the grant to the department of corrections.

Section 10. Planning and design. The department of administration may proceed with the planning and design of capital projects prior to the receipt of other funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and design costs incurred before the receipt of funding from another funding source.

Section 11. Capital projects -- contingent funds -- legislative consent. (1) Except as provided in subsection (2), if a capital project is financed in part with appropriations contingent on the receipt of funding from another funding source, the department of administration may not let the project go to bid until the agency receiving funding has submitted a financial plan for approval by the director of the department of administration.

(2) A financial plan may not be approved by the director if:

(a) the level of funding provided under the financial plan deviates substantially from the funding level provided in [section 9] for that project; or

(b) the scope of the project is substantially altered or revised from the preliminary plans presented for that project in the 2021 biennium long-range building program and as presented to the 66th legislature.

(3) The appropriations authorized in [section 9] constitute legislative consent for the capital projects contained in [section 9] within the meaning of 18-2-102.

Section 12. Review by department of environmental quality. The department of environmental quality shall review capital projects authorized in [section 9] for potential inclusion in the state building energy conservation program under Title 90, chapter 4, part 6. When a review shows that a capital project will result in energy improvements, the project must be submitted to the energy conservation program for funding consideration. Funding provided under the energy conservation program guidelines must be used to offset or add to the authorized funding for the project, with the amount dependent on the annual utility savings resulting from

the facility improvement. Agencies must be notified of potential funding after the review.

Section 13. Authorization of bonds -- conditions -- maturity. (1) The board of examiners is authorized to issue and sell general obligation bonds in one or more series and from time to time for the purposes described in subsection (3) in addition to the amount of general obligation bonds outstanding on January 1, 2019.

(2) The bonds under this section must be issued in accordance with the terms and in the manner required by Title 17, chapter 5, part 8, and the maturity of these bonds must be 10 years. The authority granted to the board of examiners by this section is in addition to any other authorization to the board of examiners to issue and sell general obligation bonds.

(3) On [the effective date of this act], the board of examiners is authorized to issue and sell general obligation bonds and deposit the proceeds as follows:

(a) \$39,550,000 of the proceeds from the bonds sold under this section must be deposited in the capital projects account provided for in 17-5-803 and 17-5-804; and

(b) \$21,500,000 of the proceeds from the bonds sold under this section must be deposited in the delivering local assistance account for grants provided for in [section 2(1)].

(c) \$18,823,553 of the proceeds from the bonds sold under this section must be deposited in the local infrastructure account provided for in [section 2(2)].

Section 14. Appropriation for treasure state endowment program grants. (1) There is appropriated to the department of commerce \$9,645,000 for the biennium beginning July 1, 2019, from the local infrastructure account established in [section 2(2)] to finance treasure state endowment program grants authorized by subsection (2).

(2) The following applicants and projects are authorized for grants and listed in the order of their priority:

Infrastructure Applicant (project type)	Grant Amount
15. Chinook, City of (water)	\$500,000
16. Cut Bank, City of (water)	\$750,000
17. Roundup, City of (water)	\$750,000
18. Darby, Town of (wastewater)	\$500,000
19. Scobey, City of (water)	\$500,000

20. Circle, Town of (water)	\$500,000
21. Seeley Lake Sewer District (wastewater)	\$750,000
22. Polson, City of (wastewater)	\$750,000
23. Black Eagle-Cascade County Water & Sewer District (water & wastewater)	\$645,000
24. Hardin, City of (wastewater)	\$625,000
25. Harlowton, City of (wastewater)	\$625,000
26. Dillon, City of (water)	\$500,000
27. Bigfork County Water & Sewer District (wastewater)	\$500,000
28. Vaughn Cascade County Water & Sewer District (water)	\$625,000
29. East Helena, City of (water)	\$500,000
30. Whitefish, City of (wastewater)	\$625,000
31. Red Lodge, City of (storm water)	\$500,000
32. Cascade, Town of (water)	\$500,000
33. Plentywood, City of (wastewater)	\$750,000
34. Sun Prairie Village County Water & Sewer District (wastewater)	\$500,000
35. North Havre County Water District (water)	\$430,000
36. Conrad, City of (water)	\$398,779
37. Sun Prairie County Water District (water)	\$275,000
38. Winnett, Town of (wastewater)	\$500,000
39. Baker, City of (water)	\$600,000
40. White Sulphur Springs, City of (water)	\$200,000

(3) Funding for the projects numbered 15 through 40 in subsection (2) will be provided up to the amount of the appropriation in subsection (1) as projects meet the conditions provided in [section 16(1)].

(4) There is appropriated to the department of commerce \$2,956,553 for the biennium beginning July 1, 2019, from the local infrastructure account established in [section 2(2)] to finance treasure state endowment program grants authorized by subsection (5) as projects meet the conditions provided in [section 16(1)].

(5) The following applicants and projects are authorized for grants and listed in the order of their priority:

Bridge Applicant	Grant Amount
5. Madison County	\$591,768

6. Chouteau County	\$279,753
7. Fergus County	\$262,839
8. Sweet Grass County	\$591,976
9. Jefferson County	\$207,903
10. Big Horn County	\$272,314
11. Gallatin County	\$750,000

(6) If sufficient funds are available, this section constitutes a valid obligation of funds to the grant recipients listed in subsections (2) and (5) for purposes of encumbering local infrastructure account funds for the biennium beginning July 1, 2019, pursuant to 17-7-302. However, a grant recipient's entitlement to receive funds is dependent on the grant recipient's compliance with the conditions described in [section 16(1)] and on the availability of funds.

(7) Funding for projects in subsections (2) and (5) will be provided only as long as there are sufficient funds available from the amount that was deposited into the local infrastructure account. Funding for these projects will be made available in the order that the grant recipients satisfy the conditions described in [section 16(1)]. However, any of the projects listed in subsections (2) and (5) that have not completed the conditions described in [section 16(1)] by September 30, 2020, must be reviewed by the next regular session of the legislature to determine if the authorized grant should be withdrawn.

(8) The funds appropriated in this section must be used by the department to make grants to the governmental entities listed in subsections (2) and (5) for the described purposes and in amounts not to exceed the amounts set out in subsections (2) and (5). The grants authorized in this section are subject to the conditions set forth in [section 16(1)] and described in the treasure state endowment program 2021 biennium report to the 66th legislature. The legislature, pursuant to 90-6-710, authorizes the grants for the projects listed in subsections (2) and (5). The department shall commit funds to projects listed in subsections (2) and (5), up to the amounts authorized, based on the manner of disbursement set forth in [section 16] until the funds deposited into the local infrastructure account during the biennium beginning July 1, 2019, are expended.

(9) Grant recipients shall complete all of the conditions described in [section 16(1)] by September 30, 2022, or any obligation to the grant recipient will cease.

Section 15. Approval of grants -- completion of biennial appropriation. (1) The legislature, pursuant

to 90-6-701, authorizes grants for the projects identified in [sections 14(2) and 14(5)].

(2) The authorization of these grants completes a biennial appropriation from the local infrastructure account established in [section 2(2)].

Section 16. Condition of grants -- disbursements of funds. (1) The disbursement of grant funds for the projects specified in [sections 14(2) and 14(5)] is subject to completion of the following conditions:

(a) The grant recipient shall document that other matching funds required for completion of the project are firmly committed.

(b) The grant recipient must have a project management plan that is approved by the department of commerce.

(c) The grant recipient must be in compliance with the auditing and reporting requirements provided for in 2-7-503 and have established a financial accounting system that the department can reasonably ensure conforms to generally accepted accounting principles. Tribal governments shall comply with auditing and reporting requirements provided for in 2 CFR part 200.

(d) The grant recipient shall satisfactorily comply with any conditions described in the application (project summaries section of the treasure state endowment program 2021 biennium report to the 66th legislature.

(e) The grant recipient shall satisfy other specific requirements considered necessary by the department of commerce to accomplish the purpose of the project as evidenced by the application to the department.

(f) The grant recipient shall execute a grant agreement with the department of commerce.

(2) With the exception of bridges, all projects must adhere to the design standards required by the department of environmental quality. Recipients of treasure state endowment program funds that are not subject to the department of environmental quality design standards must adhere to generally accepted industry standards, such as Recommended Standards for Wastewater Facilities or Recommended Standards for Water Works, published by the Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers, latest edition.

(3) Recipients of treasure state endowment program funds are subject to the requirements of the department of commerce as described in the most recent edition of the Treasure State Endowment Program Project Administration Manual adopted by the department through the administrative rulemaking process.

Section 17. Other powers and duties of department. (1) The department of commerce shall disburse grant funds on a reimbursement basis as grant recipients incur eligible project expenses.

(2) If actual project expenses are lower than the projected expense of the project, the department may, at its discretion:

(a) reduce the amount of grant funds to be provided to grant recipients in proportion to all other project funding sources;

(b) authorize the amount of grant funds to be provided so that the grant recipient's projected average residential user rates do not become lower than their target rate as determined by the department; or

(c) reduce the amount of grant funds to be provided so that the grant recipient's projected average residential user rates do not become lower than their target rate as determined by the department.

(3) If the grant recipient obtains a greater amount of grant funds than was contained in the treasure state endowment program application, the department may reduce the amount of the treasure state endowment program grant funds to be provided to ensure that the grant recipient continues to meet the threshold requirements contained in program guidelines for receiving the larger treasure state endowment program grant.

Section 18. Appropriation from treasure state endowment special revenue account for administrative expenses. There is appropriated to the department of commerce \$200,000 for the biennium beginning July 1, 2019, from the treasure state endowment special revenue account for administrative expenses.

Section 19. Appropriations for renewable resource grants. (1) There is appropriated from the local infrastructure account established in [section 2(2)] to the department of natural resources and conservation up to \$4,975,000 for grants to political subdivisions and local governments on the biennium beginning July 1, 2019. The funds referred to in this subsection must be awarded by the department to the named entities for the described purposes and in the grant amounts listed in subsection (3), subject to the conditions set forth in [sections 21 and 22] and the contingencies described in the renewable resource grant and loan program January 2019 report to the 66th legislature.

(2) Funds must be awarded up to the amounts approved in subsection (3) in the following listed order of priority until available funds are expended. Funds not accepted or used by higher-ranked projects must be provided for projects farther down the priority list that would not otherwise receive funding. If at any time a grant

sponsor determines that a project will not begin before June 30, 2021, the sponsor shall notify the department of natural resources and conservation. After all eligible projects are funded, remaining funds may be used for any renewable resource project authorized under this section.

(3) The following are the prioritized grant projects:

RENEWABLE RESOURCE GRANT AND LOAN PROGRAM

Applicant/Project	Amount
Buffalo Rapids Irrigation Project District 1 (Buffalo Rapids Irrigation Project 1 - Lateral 1.7 Pipeline Conversion)	\$125,000
Hardin, City of (Hardin Wastewater Treatment Plant Improvements)	\$125,000
Dillon, City of (Dillon Water Transmission and Distribution Main Replacement)	\$125,000
Helena Valley Irrigation District (Helena Valley Irrigation District Lateral 14.8 Headgate Rehabilitation, Phase 2)	\$125,000
Polson, City of (Polson Wastewater System Improvement, Phase 2)	\$125,000
Carbon County Conservation District (Golden Ditch Company Clark Fork Diversion Rehabilitation)	\$125,000
Savage Irrigation District (Savage Irrigation District Infrastructure Rehabilitation)	\$125,000
Petroleum County Conservation District (Horse Creek Coulee Water Storage)	\$125,000
Wibaux, Town of (Wibaux Wastewater Treatment System Improvements)	\$125,000
Alberton, Town of (Alberton Water System Improvements)	\$125,000
Geraldine, Town of (Geraldine Wastewater System Improvements)	\$125,000
Missoula, City of	

(Caras Park Outfall Storm Water Treatment Retrofit, Phase 2)	\$125,000
Black Eagle-Cascade County Water & Sewer District	
(Black Eagle-Cascade County Water & Sewer District Water & Sewer System Improvements)	\$125,000
East Helena, City of	
(East Helena Water System Improvements)	\$125,000
Plentywood, City of	
(Plentywood Wastewater Collection Improvement, Phase 2)	\$125,000
Missoula County	
(Lewis & Clark Subdivision Wastewater Improvements)	\$125,000
Wilsall Water District	
(Wilsall Water District Water System Improvements)	\$125,000
Lower Yellowstone Irrigation Project	
(Lower Yellowstone Irrigation Project Crane Wasteway & Pump Station Rehabilitation)	\$125,000
Missoula County Conservation District	
(Grass Valley French Ditch Clark Fork Diversion Rehabilitation)	\$125,000
Montana Bureau of Mines and Geology	
(Reducing Mobilization of Oil-Brine Salt to Streams)	\$125,000
Winifred, Town of	
(Winifred Water System Improvements)	\$125,000
Hysham, Town of	
(Hysham Wastewater System Rehabilitation, Phase 1)	\$125,000
Vaughn Cascade County Water and Sewer District	
(Vaughn Cascade County Water and Sewer District Water Improvements)	\$125,000
Stillwater Conservation District	
(Yanzick/Brey, Riddle Ditch Irrigation System Improvements, Phase 2)	\$125,000
Lockwood Water and Sewer District	
(Lockwood WSD Drinking Water System Improvements)	\$125,000
Circle, Town of	

(Circle Water System Improvements)	\$125,000
Yellowstone County DES	
(Billings Bench Water Users Association Main Canal Rehabilitation, Phase 1)	\$125,000
Hysham Irrigation District	
(Re-Lift Canal Improvement)	\$125,000
Clyde Park, Town of	
(Clyde Park Water System Improvements)	\$125,000
Libby, City of	
(Libby Water System Improvements)	\$125,000
Chinook, City of	
(Chinook Water System Improvements)	\$125,000
Cut Bank, City of	
(Cut Bank Water System Improvements)	\$125,000
North Havre County Water District	
(North Havre County Water District Water System Improvements)	\$125,000
Plains, Town of	
(Plains Wastewater System Protection)	\$125,000
Montana Bureau of Mines and Geology	
(Measuring Groundwater Recharge in Flood to Pivot Irrigation Conversions)	\$125,000
Cascade, Town of	
(Cascade Water System Improvements)	\$125,000
Fallon County	
(Baker Lake Restoration)	\$100,000
Pondera County Conservation District	
(Kingsbury Turnout Automation)	\$125,000
Tin Cup County Water and Sewer District	
(Tin Cup County Water and Sewer District Water Conservation)	\$125,000
Clancy Water and Sewer District	
(Clancy Water and Sewer District Water Improvements)	\$125,000

Section 20. Appropriations for reclamation and development grants. (1) The amount of \$1,247,000 is appropriated to the department of natural resources and conservation from the local infrastructure account established in [section 2(2)] for grants to political subdivisions and local governments during the biennium ending June 30, 2021. The funds in this subsection must be awarded by the department to the named entities for the described purposes and in the grant amounts set out in subsection (3) subject to the conditions set forth in [sections 21 and 22] and the contingencies described in the reclamation and development grant program January 2019 report to the 66th legislature.

(2) Funds must be awarded up to the amounts approved in this section in the order of priority listed in subsection (3) until available funds are expended. Funds not accepted or used by higher-ranked projects must be provided for projects farther down the priority list that would not otherwise receive funding. After all eligible projects are funded, remaining funds may be used for any reclamation and development project authorized under this section.

(3) The following are the prioritized grant projects:

Applicant/Project	Amount
Montana Department of Environmental Quality (Cottonwood #2 Acid Mine Drainage Diversion Project)	\$300,000
Deer Lodge, City of (Milwaukee Roundhouse CECRA Site Passenger Refueling Area VCRA Program Remediation)	\$297,000
Montana Department of Environmental Quality (Basin Creek Mine - Phase 2 Site Stability Project)	\$300,000
Ryegate, Town of (Former Ryegate Conoco Groundwater Remediation)	\$50,000
Montana Department of Environmental Quality (Upper Blackfoot Mining Complex Water Treatment Plant Bridge and Infrastructure Protection)	\$300,000

Section 21. Coordination of fund sources for grants to political subdivisions and local

governments. (1) A project sponsor listed under [section 20] may not receive funds from both the reclamation and development grants program and the renewable resource grant and loan program for the same project during the same biennium.

(2) If a project listed in [this act] receives an appropriation in House Bill Nos. 6, 7, or 11 that fully funds the project as proposed in that bill, the project sponsor is not eligible to receive a grant under [this act].

(3) If the amount of funding in the natural resources projects state special revenue account established in 15-38-302 is insufficient to fund appropriation levels authorized in House Bill No. 6, a project in House Bill No. 6 that does not receive funding from the natural resources projects state special revenue account established in 15-38-302 may be funded with the appropriation in [section 19(1)].

(4) If the amount of funding in the natural resources projects state special revenue account established in 15-38-302 is insufficient to fund appropriation levels authorized in House Bill No. 7, a project in House Bill No. 7 that does not receive funding from the natural resources projects state special revenue account established in 15-38-302 may be funded with the appropriation in [section 20(1)].

(5) If the amount of funding in the treasure state endowment special revenue account established in 17-5-703(3)(a), is insufficient to fund appropriation levels authorized in House Bill No. 11, a project in House Bill No. 11 that does not receive funding from the treasure state endowment special revenue account established in 17-5-703(3)(a) may be funded with the appropriation in [section 14(1)].

Section 22. Condition of grants. Disbursement of funds under [sections 19 and 20] is subject to the following conditions that must be met by the project sponsor:

(1) A scope of work and budget for the project must be approved by the department of natural resources and conservation. Any changes in scope of work or budget subsequent to legislative approval may not change project goals and objectives. Changes in activities that would reduce the public or natural resource benefits as presented in department of natural resources and conservation reports and applicant testimony to the 66th legislature may result in a proportional reduction in the grant amount.

(2) The project sponsor shall show satisfactory completion of conditions described in the recommendation section of the project narrative of the program report to the legislature for the biennium ending June 30, 2021, or, in the case of planning grants issued under [sections 19 and 20], completion of conditions specified at the time of written notification of approved grant authority.

(3) The project sponsor must have a fully executed grant agreement with the department.

(4) Any other specific requirements considered necessary by the department must be met to accomplish the purpose of the grant as evidenced from the application to the department or from the proposal as presented to the legislature.

Section 23. Approval of grants -- completion of biennial appropriation. The legislature, pursuant to 90-2-1111, approves the reclamation and development grants listed in [section 20]. The legislature, pursuant to 85-1-605, approves the renewable resource program grants listed in [section 19]. The authorization of these grants completes a biennial appropriation from the local infrastructure account established in [section 2(2)].

Section 24. Section 90-6-701, MCA, is amended to read:

"90-6-701. Treasure state endowment program created -- definitions. (1) (a) There is a treasure state endowment program that consists of:

(i) the treasure state endowment fund established in 17-5-703;

(ii) the infrastructure portion of the coal severance tax bond program provided for in 17-5-701(2).

(b) The treasure state endowment program may borrow from the board of investments to provide additional financial assistance for local government infrastructure projects under this part, provided that no part of the loan may be made from retirement funds.

(2) Interest from the treasure state endowment fund and from proceeds of the sale of bonds under 17-5-701(2) may be used to provide financial assistance for local government infrastructure projects under this part, to provide funding to the department of commerce for the administrative costs of the treasure state endowment program and the delivering local assistance grant program, and to repay loans from the board of investments.

(3) As used in this part, the following definitions apply:

(a) "Infrastructure projects" means:

(i) drinking water systems;

(ii) wastewater treatment;

(iii) sanitary sewer or storm sewer systems;

(iv) solid waste disposal and separation systems, including site acquisition, preparation, or monitoring;

or

(v) bridges.

(b) "Local government" means an incorporated city or town, a county, a consolidated local government, a tribal government, a county or multicounty water, sewer, or solid waste district, or an authority as defined in 75-6-304.

(c) "Treasure state endowment fund" means the coal severance tax infrastructure endowment fund established in 17-5-703(1)(b).

(d) "Treasure state endowment program" means the local government infrastructure investment program established in subsection (1).

(e) "Tribal government" means a federally recognized Indian tribe within the state of Montana."

Section 25. Transfer of funds. By August 15, 2019, the state treasurer shall transfer \$9 million from the general fund to the long-range building program account established in 17-7-205.

Section 26. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe.

Section 27. Coordination instruction. If House Bill No. 553 is not passed and approved, [this act] is void.

Section 28. 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.

Section 29. Creation of state debt -- two-thirds vote required. Because [section 13] authorizes the creation of state debt, Article VIII, section 8, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage.

Section 30. Effective date. [This act] is effective on passage and approval.

Section 31. Termination. [Section 24] terminates June 30, 2021.

- END -

I hereby certify that the within bill,
HB 0652, originated in the House.

Speaker of the House

Signed this _____ day
of _____, 2019.

Chief Clerk of the House

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 652

INTRODUCED BY M. HOPKINS, N. BALLANCE, D. BEDEY, E. BUTTREY, R. FITZGERALD, F. FLEMING,
R. GARCIA, F. GARNER, B. GRUBBS, K. HOLMLUND, L. JONES, J. KEANE, D. LOGE, R. LYNCH,
F. MOORE, R. PEPPERS, G. PIERSON, J. READ, J. SESSO, T. WELCH, J. DOOLING, J. HAMILTON,
W. SALES, M. CUFFE

AN ACT PROVIDING FUNDING AND AUTHORIZATION FOR CAPITAL AND INFRASTRUCTURE PROJECTS STATEWIDE; PROVIDING FUNDING AND AUTHORIZATION FOR SCHOOL FACILITY PROJECTS STATEWIDE; CREATING THE DELIVERING LOCAL ASSISTANCE GRANT PROGRAM; PROVIDING RULEMAKING AUTHORITY; CREATING THE DELIVERING LOCAL ASSISTANCE ACCOUNT FOR GRANTS AND THE LOCAL INFRASTRUCTURE ACCOUNT; APPROPRIATING MONEY TO AGENCIES FOR CAPITAL PROJECTS; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR GRANTS UNDER THE RECLAMATION AND DEVELOPMENT GRANTS PROGRAM; APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR FINANCIAL ASSISTANCE TO LOCAL GOVERNMENT INFRASTRUCTURE PROJECTS; AUTHORIZING PROJECT GRANT AMOUNTS; PLACING CONDITIONS UPON GRANTS AND FUNDS; AUTHORIZING THE CREATION OF STATE DEBT THROUGH THE ISSUANCE OF GENERAL OBLIGATION BONDS; TRANSFERRING FUNDS; AMENDING SECTION 90-6-701, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE.