

1 HOUSE BILL NO. 632  
2 INTRODUCED BY F. GARNER, E. BUTTREY  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE AMERICAN RESCUE PLAN ACT;  
5 PROVIDING APPROPRIATIONS AND ALLOCATIONS OF FEDERAL FUNDS AND OTHER FUNDS  
6 AVAILABLE BECAUSE OF THE RECEIPT OF FEDERAL FUNDS FOR THE FISCAL YEAR ENDING JUNE  
7 30, 2021; ALLOWING APPROPRIATIONS TO CONTINUE INTO THE 2023 BIENNIUM AND 2025  
8 BIENNIUMS; PROVIDING CONDITIONS AND RESTRICTIONS ON THE USE OF FUNDS; CREATING  
9 ADVISORY COMMISSIONS RELATED TO INFRASTRUCTURE, COMMUNICATIONS, ECONOMIC  
10 TRANSFORMATION AND STABILIZATION AND WORKFORCE DEVELOPMENT, AND HEALTH;  
11 PROVIDING DEADLINES AND OTHER CONDITIONS RELATED TO THE GRANT PROCESS; REQUIRING  
12 THE USE OF MATCHING FUNDS FOR CERTAIN GRANTS; PROVIDING FOR AN OUTREACH A  
13 TECHNICAL ASSISTANCE TEAM TO ASSIST LOCAL GOVERNMENTS IN THE GRANT PROCESS;  
14 PROVIDING FOR FUNDING FOR STATE CAPITAL PROJECTS AND GRANTS FOR WATER AND  
15 WASTEWATER-SEWER INFRASTRUCTURE PROJECTS; PROVIDING MINIMUM ALLOCATION GRANTS  
16 TO LOCAL GOVERNMENTS FOR QUALIFYING PROJECTS; PROVIDING FOR A GRANT PROCESS FOR  
17 COMMUNICATIONS AND ECONOMIC TRANSFORMATION AND STABILIZATION PROJECTS AND  
18 WORKFORCE DEVELOPMENT; PROVIDING GRANTS TO REGIONAL WATER AUTHORITIES; REQUIRING  
19 PERFORMANCE MEASURES AND REPORTING ON PROJECTS; PROVIDING COORDINATION  
20 INSTRUCTIONS TO FUND QUALIFYING LONG-RANGE PROJECTS WITH FEDERAL FUNDS; PROVIDING  
21 THE EXECUTIVE THE AUTHORITY TO MODIFY AND REPORT MODIFICATIONS TO APPROPRIATIONS  
22 AND PARAMETERS OF PROGRAMS TO THE LEGISLATIVE FINANCE COMMITTEE; PROVIDING FOR A  
23 REDUCTION TO CERTAIN GRANT AWARDS TO LOCAL GOVERNMENTS BASED ON HEALTH  
24 REGULATIONS THAT ARE MORE STRICT THAN THOSE OF THE STATE; PROVIDING FOR  
25 ADMINISTRATION AND AUDIT COSTS; ESTABLISHING EDUCATIONAL MAINTENANCE OF EFFORT AND  
26 EQUITY PAYMENTS AND PARAMETERS FOR THEIR USE; PROHIBITING THE USE OF AMERICAN  
27 RESCUE PLAN ACT FUNDS FOR LOBBYING ACTIVITIES; PROVIDING RULEMAKING AUTHORITY;  
28 AMENDING SECTION 2-17-603, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

**NEW SECTION. Section 1. Infrastructure advisory commission.** (1) There is an American Rescue Plan infrastructure advisory commission.

(2) The commission consists of nine members, who must be appointed as follows:

(a) three senators, two from the majority party and one from the minority party, appointed by the senate president;

(b) three representatives, two from the majority party and one from the minority party, appointed by the speaker of the house; and

(c) three members appointed by the governor.

(3) The commission shall review applications for funding for state capital projects and state and local government water and ~~wastewater~~ sewer infrastructure projects and shall provide recommendations to the executive on which projects should be funded. Projects approved by the 67th legislature for funding in House Bill No. 5, 6, 7, 11, or 14 are not submitted to the commission.

(4) Appointed members of the commission must be compensated and receive travel expenses as provided for in 2-15-124 for each day in attendance at commission meetings or in the performance of any duty or service as a commission member.

(5) THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION SHALL SERVE AS LEAD STAFF WITH THE DEPARTMENTS OF ADMINISTRATION AND COMMERCE ASSISTING.

(6) FUNDING FOR THE COMMISSION IS ALLOCATED FROM THE ADMINISTRATIVE COSTS ALLOWED IN [SECTION 3].

(7) The commission shall hold its first meeting no later than June 11, 2021.

(8) The commission shall set its future meeting dates.

(9) The commission shall elect a chair from the legislative branch and a vice chair from the executive branch.

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**NEW SECTION. Section 2. ~~Appropriations~~ APPROPRIATION for capital projects and water and wastewater sewer infrastructure projects -- matching funds.** (1) There are federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, appropriated to the office of budget and program planning for state ~~infrastructure projects and local infrastructure~~ AND LOCAL WATER AND ~~WASTEWATER sewer infrastructure~~ grants as follows:

Amount	ARPA Section
500,000,000 <del>450,000,000</del> <u>462,689,925</u>	602
119,300,000	<del>604</del>

(2) For any water or ~~wastewater sewer infrastructure~~ grant awarded to a local government with these funds, a local government must provide matching funds.

(3) For the purposes of [this act], "local government" means any ~~tribe, city, town, county, consolidated city-county, or school district~~ CITY, COUNTY, CONSOLIDATED CITY-COUNTY, SCHOOL DISTRICT, OR OTHER POLITICAL SUBDIVISION OR LOCAL GOVERNMENT BODY OF THE STATE, INCLUDING AN AUTHORITY AS DEFINED IN 75-6-304, WATER DISTRICT, SEWER DISTRICT, IRRIGATION DISTRICT, WATER USERS ASSOCIATION, CONSERVATION DISTRICT, OR TRIBAL GOVERNMENT.

(4) For the purposes of [this act], "~~state infrastructure projects~~" STATE WATER AND ~~WASTEWATER sewer infrastructure~~ PROJECTS includes projects for state-owned buildings and facilities AND ASSOCIATED INFRASTRUCTURE, as well as within the Montana university system, including community colleges in the state.

(5) References to "ARPA Section" mean references to section 9901 of the American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act to include section 602 ~~or section 604~~.

(6) FUNDS APPROPRIATED UNDER THIS SECTION THAT ARE NOT OTHERWISE ALLOCATED ARE ALLOCATED TO THE OFFICE OF BUDGET AND PROGRAM PLANNING TO PROVIDE GRANTS PURSUANT TO [SECTION 3].

**NEW SECTION. Section 3. ~~Eligibility -- submission deadline -- priority -- approval of recommendations~~ COMPETITIVE GRANT PROGRAM.** (1) ~~State~~ FOR THE FIRST ROUND OF GRANTS, STATE and local governments shall submit grant requests and supporting materials, including the amount of matching funds

## Amendment - Reference

1 available FOR WATER AND ~~WASTEWATER sewer infrastructure~~ PROJECTS, to the ~~applicable agency department of~~  
2 natural resources and conservation by July ~~4~~ 15, 2021, in order to be eligible for funding under [section 2].  
3 Applicants shall certify that each project submitted is a necessary investment in water or sewer infrastructure as  
4 defined in the American Rescue Plan Act and all applicable guidance. Subsequent submissions, if any, will be  
5 due by the dates established by the commission. The agency will review grant applications, rank projects, and  
6 issue a list of recommended projects to the advisory commission ~~by August 15, 2021.~~

7 ~~(2) The applicable agency shall submit a list of recommended state capital projects to the advisory~~  
8 ~~commission by August 15, 2021.~~

9 ~~(3)(2)~~ The advisory commission shall review the lists of recommended WATER AND ~~WASTEWATER sewer~~  
10 infrastructure projects and issue a final list of recommended projects to the executive by ~~September 1, 2021 the~~  
11 dates established by the commission.

12 (3) The department of natural resources and conservation shall certify that each project submitted is a  
13 necessary investment in water and sewer infrastructure as defined in the American Rescue Plan Act and all  
14 applicable guidance.

15 (4) THE ~~APPLICABLE AGENCY~~ department of natural resources and conservation IS AUTHORIZED TO  
16 PRESENT ADDITIONAL ROUNDS OF GRANT PROPOSALS TO THE COMMISSION AS NEEDED.

17 ~~(4)(5) In preparing recommendations, for capital projects, preference must be given to projects that~~  
18 ~~carry out critical capital projects directly enabling work, education, and health monitoring, including remote~~  
19 ~~options, in response to the public health emergency with respect to COVID-19. For local government WATER~~  
20 ~~AND ~~WASTEWATER sewer infrastructure~~ grants, preference may ~~also~~ be given to projects that provide a higher~~  
21 ~~match rate.~~

22 (6) The advisory commission shall certify that each project submitted is a necessary investment in  
23 water and sewer infrastructure as defined in the American Rescue Plan Act and all applicable guidance.

24 ~~(5)(6)(7)~~ The recommendations of the advisory commission must be considered by the governor and  
25 reviewed to comply with the American Rescue Plan Act and all applicable guidance. The governor may modify  
26 recommendations and shall provide the final list of approved projects to the advisory commission and to the  
27 legislative finance committee by ~~October 15, 2021 the dates established by the governor.~~ IF THE GOVERNOR  
28 MODIFIES THE LIST OF RECOMMENDED PROJECTS SUBMITTED BY THE COMMISSION, THE ~~OFFICE OF BUDGET AND~~

1 ~~PROGRAM PLANNING~~ department of natural resources and conservation SHALL REPORT AND EXPLAIN THE CHANGES  
2 TO THE ADVISORY COMMISSIONS AND THE LEGISLATIVE FINANCE COMMITTEE AT ITS NEXT SCHEDULED MEETING.

3 ~~(7)~~(8) If it is later determined the governor later determines that a project cannot be completed, the  
4 governor may authorize another A DIFFERENT project and provide a report to the advisory commission and the  
5 legislative finance committee. If it is determined at any time that a project is identified not to be eligible based  
6 on federal guidance or regulation and, if completed, would If the governor determines at any time that a project  
7 is identified not to be eligible based on the American Rescue Plan Act and all applicable guidance and, if  
8 completed, may result in a reduction in funds from the American Rescue Plan Act or require the state to repay  
9 or refund money to the federal government pursuant to the American Rescue Plan Act, the governor may  
10 authorize another A DIFFERENT project and provide a report to the advisory commission and the legislative  
11 finance committee.

12 ~~(8)~~(9) NO PROJECT MAY RECEIVE MORE THAN \$25 MILLION IN GRANT PROCEEDS FROM THIS SECTION.

13 ~~(9)~~(10) UP TO 2.5% OF THE FUNDS APPROPRIATED-allocated IN [SECTION 2(6)] MAY BE ALLOCATED FOR  
14 ADMINISTRATIVE COSTS.

15  
16 **NEW SECTION. SECTION 4. MINIMUM ALLOCATION GRANTS TO LOCAL GOVERNMENTS.** (1) THE AMOUNT OF  
17 \$150 MILLION OF THE CORONAVIRUS LOCAL STATE FISCAL RECOVERY FUNDS APPROPRIATED IN [SECTION 2] MUST BE  
18 USED TO PROVIDE MINIMUM ALLOCATION GRANTS TO LOCAL GOVERNMENTS FOR INFRASTRUCTURE WATER AND  
19 ~~WASTEWATER~~ sewer infrastructure PROJECTS ELIGIBLE FOR FUNDING UNDER THE AMERICAN RESCUE PLAN ACT.

20 (2) THE AMOUNT A LOCAL GOVERNMENT IS ELIGIBLE TO RECEIVE IN WATER AND ~~WASTEWATER~~ sewer  
21 infrastructure GRANTS UNDER THIS SECTION IS IN THE SAME PROPORTION AND USING THE SAME RATIOS PROVIDED FOR  
22 IN 15-70-101(2)(B), (2)(C), AND (3).

23 (3) (A) TO RECEIVE A GRANT UNDER THIS SECTION, A LOCAL GOVERNMENT SHALL SUBMIT AN APPLICATION FOR  
24 A QUALIFYING INFRASTRUCTURE WATER OR ~~WASTEWATER~~ sewer infrastructure PROJECT AND PLEDGE MATCHING  
25 FUNDS.

26 (B) A QUALIFYING WATER OR ~~WASTEWATER~~ sewer infrastructure PROJECT IS A PROJECT THAT COMPLIES WITH  
27 THE USES AUTHORIZED FOR THE CORONAVIRUS STATE FISCAL RECOVERY FUNDS.

28 (C) THE LOCAL GOVERNMENT SHALL PLEDGE THE GREATER LESSER OF:

- 1 (I) ONE-TO-ONE MATCHING FUNDS; OR
- 2 (II) 25% OF THE AMOUNT THAT THE LOCAL GOVERNMENT RECEIVED IN CORONAVIRUS LOCAL FISCAL RECOVERY
- 3 FUNDS PROVIDED FOR IN THE AMERICAN RESCUE PLAN ACT.
- 4 (D) A LOCAL GOVERNMENT MAY USE CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS AS MATCHING FUNDS.
- 5 (4) GRANT FUNDS NOT ~~CLAIMED~~ APPLIED FOR AND AWARDED OR IN A PENDING STATUS BY JANUARY 1, 2023,
- 6 ARE TRANSFERRED TO THE COMPETITIVE GRANT PROGRAM ADMINISTERED BY THE ~~APPROPRIATE AGENCY~~ department of
- 7 natural resources and conservation FOR DISTRIBUTION THROUGH THE COMPETITIVE GRANT PROGRAM ESTABLISHED IN
- 8 [SECTION 3].

9

10 NEW SECTION. SECTION 5. GRANTS TO REGIONAL WATER AUTHORITIES -- MATCHING FUNDS -- USES. (1)

11 OF THE APPROPRIATION MADE IN [SECTION 2] OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS, \$10 MILLION IS

12 ALLOCATED TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO PROVIDE EACH REGIONAL WATER

13 AUTHORITY A GRANT OF \$2.5 MILLION.

14 (2) FOR A GRANT UNDER THIS SECTION, A REGIONAL WATER AUTHORITY MUST PROVIDE ONE-TO-ONE MATCHING

15 FUNDS TO BE COMPRISED OF LOANS SECURED BY COAL SEVERANCE TAX BONDS MADE PURSUANT TO HOUSE BILL NO. 8.

16 (3) THE REGIONAL WATER AUTHORITY ~~MUST~~ MAY USE GRANT FUNDS AND LOANS SECURED BY BONDS TO SERVE

17 AS MATCHING FUNDS FOR FEDERAL GRANTS.

18

19 NEW SECTION. Section 6. Outreach TECHNICAL ASSISTANCE team -- grant application and

20 engineering assistance. (1) The department of commerce shall assemble ~~an outreach~~ A TECHNICAL

21 ASSISTANCE team to notify local governments, with an emphasis on rural local governments, of the funding

22 opportunities provided for in this bill related to ~~communications, economic TRANSFORMATION AND stabilization,~~

23 ~~and infrastructure~~ WATER AND ~~WASTEWATER sewer infrastructure~~ projects.

24 (2) The ~~outreach~~ TECHNICAL ASSISTANCE team shall also assist local governments in the application

25 process and offer LIMITED engineering assistance.

26 (3) The department may hire modified FTE or contract to create the ~~outreach~~ TECHNICAL ASSISTANCE

27 team.

28 (4) There ~~must be an appropriation of administrative funds~~ IS ALLOCATED \$750,000 FROM THE FUNDS

1 APPROPRIATED IN [SECTION 2] FOR THE TECHNICAL ASSISTANCE TEAM.

2

3 NEW SECTION. Section 7. APPROPRIATION FOR CAPITAL PROJECTS. (1) THERE ARE FEDERAL FUNDS  
4 RECEIVED PURSUANT TO THE AMERICAN RESCUE PLAN ACT OF 2021, PUBLIC LAW 117-2, APPROPRIATED TO THE  
5 OFFICE OF BUDGET AND PROGRAM PLANNING FOR STATE ~~INFRASTRUCTURE~~ capital PROJECTS AS FOLLOWS:

AMOUNT	ARPA SECTION
119,300,000	604

8 (2) FOR THE PURPOSES OF [THIS ACT], "STATE ~~INFRASTRUCTURE~~ capital PROJECTS" INCLUDES PROJECTS  
9 FOR STATE-OWNED BUILDINGS AND FACILITIES AND ASSOCIATED INFRASTRUCTURE AS WELL AS WITHIN THE MONTANA  
10 UNIVERSITY SYSTEM, INCLUDING COMMUNITY COLLEGES IN THE STATE. ~~Project requests and supporting materials~~  
11 ~~must be submitted to the department of administration in the manner prescribed by the department. Each~~  
12 ~~applicant shall certify that each project submitted is a qualifying capital project as defined in the American~~  
13 ~~Rescue Plan Act and all applicable guidance.~~

14 (3) THE DEPARTMENT OF ADMINISTRATION SHALL SUBMIT A LIST OF RECOMMENDED STATE CAPITAL PROJECTS  
15 TO THE ADVISORY COMMISSION. ~~If properly submitted and certified by the department of justice, the list must~~  
16 ~~contain up to \$1 million for Freezer, Morgue and Refrigeration Space, and up to \$1 million for Crime Lab Facility~~  
17 ~~Space at the department of justice, if eligible.~~

18 (4) ~~The department of administration shall certify that each project submitted is a qualifying capital~~  
19 ~~project as defined in the American Rescue Plan Act and all applicable guidance.~~

20 (5) THE ADVISORY COMMISSION SHALL REVIEW THE LISTS OF RECOMMENDED CAPITAL PROJECTS AND ISSUE A  
21 LIST OF RECOMMENDED PROJECTS TO THE EXECUTIVE. ~~The commission shall certify that each project submitted is a~~  
22 ~~qualifying capital project as defined in the American Rescue Plan Act and all applicable guidance.~~

23 ~~(5)(6) THE ~~APPLICABLE AGENCY~~ department of administration IS AUTHORIZED TO PRESENT ADDITIONAL~~  
24 ~~ROUNDS OF GRANT PROPOSALS TO THE COMMISSION AS NEEDED.~~

25 ~~(6)(7) IN PREPARING RECOMMENDATIONS FOR CAPITAL PROJECTS, PREFERENCE MUST BE GIVEN TO~~  
26 ~~PROJECTS THAT ARE GEOGRAPHICALLY DISPERSED THROUGHOUT THE STATE., ~~Projects must~~ CARRY OUT CRITICAL~~  
27 ~~CAPITAL PROJECTS DIRECTLY ENABLING WORK, EDUCATION, ~~AND~~ or HEALTH MONITORING, INCLUDING REMOTE OPTIONS,~~  
28 ~~IN RESPONSE TO THE PUBLIC HEALTH EMERGENCY WITH RESPECT TO COVID-19.~~

## Amendment - Reference

1 ~~(7)~~(8) THE RECOMMENDATIONS OF THE ADVISORY COMMISSION MUST BE CONSIDERED BY THE GOVERNOR  
2 AND REVIEWED TO COMPLY WITH THE AMERICAN RESCUE PLAN ACT AND ALL APPLICABLE GUIDANCE. THE GOVERNOR  
3 MAY MODIFY RECOMMENDATIONS AND SHALL PROVIDE THE LIST OF APPROVED PROJECTS TO THE infrastructure  
4 advisory commission and the LEGISLATIVE FINANCE COMMITTEE ~~BY OCTOBER 15, 2021~~. IF THE GOVERNOR MODIFIES  
5 THE LIST OF RECOMMENDED PROJECTS SUBMITTED BY THE COMMISSION, THE ~~OFFICE OF BUDGET AND PROGRAM~~  
6 ~~PLANNING- department of administration~~ SHALL REPORT AND EXPLAIN THE CHANGES TO the infrastructure advisory  
7 commission and THE LEGISLATIVE FINANCE COMMITTEE AT ITS NEXT SCHEDULED MEETING.

8 ~~(8)~~(9) IF ~~IT IS LATER DETERMINED~~ the governor later determines THAT A PROJECT CANNOT BE COMPLETED,  
9 THE GOVERNOR MAY AUTHORIZE A DIFFERENT PROJECT AND PROVIDE A REPORT TO the infrastructure advisory  
10 commission and THE LEGISLATIVE FINANCE COMMITTEE. IF ~~IT IS DETERMINED~~ the governor determines AT ANY TIME  
11 THAT A PROJECT IS IDENTIFIED NOT TO BE ELIGIBLE BASED ON ~~FEDERAL~~ the American Rescue Plan Act GUIDANCE ~~OR~~  
12 ~~REGULATION~~ AND, IF COMPLETED, ~~WOULD~~ may RESULT IN A REDUCTION IN FUNDS FROM THE AMERICAN RESCUE PLAN  
13 ACT OR REQUIRE THE STATE TO REPAY OR REFUND MONEY TO THE FEDERAL GOVERNMENT PURSUANT TO THE  
14 AMERICAN RESCUE PLAN ACT, THE GOVERNOR MAY AUTHORIZE A DIFFERENT PROJECT AND PROVIDE A REPORT TO the  
15 infrastructure advisory commission and THE LEGISLATIVE FINANCE COMMITTEE.

16 ~~(9)~~(10) REFERENCES TO "ARPA SECTION" MEAN REFERENCES TO SECTION 9901 OF THE AMERICAN RESCUE  
17 PLAN ACT OF 2021, PUBLIC LAW 117-2, WHICH AMENDS TITLE VI OF THE SOCIAL SECURITY ACT TO INCLUDE SECTION  
18 604.

19 ~~(10)~~(11) UP TO 2% OF THE FUNDS APPROPRIATED IN THIS SECTION MAY BE ALLOCATED FOR ADMINISTRATIVE  
20 COSTS.

21 (12) Consent to construct as required by 18-2-102(1) is granted for projects funded with the  
22 appropriation provided in this section.

23 (13) If a project constructed with the funds appropriated in this section requires additional operations  
24 and maintenance budget authority as defined in 17-7-210, the requirements of 17-7-210 are considered to have  
25 been met if the funding for any additional operations and maintenance expenses are included in the executive  
26 budget in the next legislative session.

27

28 NEW SECTION. Section 8. Communications advisory commission. (1) There is an American



## Amendment - Reference

67th Legislature

Drafter: Julie Johnson, 406-444-4024

HB 632.4.2

1 Rescue Plan communications advisory commission.

2 (2) The commission consists of nine members, who must be appointed as follows:

3 (a) three senators, two from the majority party and one from the minority party, appointed by the senate  
4 president;

5 (b) three representatives, two from the majority party and one from the minority party, appointed by the  
6 speaker of the house; and

7 (c) three members, appointed by the governor.

8 (3) The commission shall review ~~applications~~ RECOMMENDATIONS for funding ~~for grants for~~  
9 communications projects and provide recommendations to the executive on which projects should be funded.

10 (4) Appointed members of the commission shall be compensated and receive travel expenses as  
11 provided for in 2-15-124 for each day in attendance at commission meetings or in the performance of any duty  
12 or service as a commission member.

13 (5) THE DEPARTMENT OF COMMERCE SHALL STAFF THE COMMISSION.

14 (6) FUNDING FOR THE COMMISSION IS ALLOCATED FROM THE ADMINISTRATIVE COSTS ALLOWED IN [SECTION 9].

15 (7) The commission shall hold its first meeting no later than June 11, 2021.

16 (8) The commission shall set its future meeting dates.

17 (9) The commission shall elect a chair from the legislative branch and a vice chair from the executive  
18 branch.

19  
20 NEW SECTION. Section 9. ~~Appropriations~~ APPROPRIATION for communications ~~project grants~~

21 PROJECTS. (1) There are federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law  
22 117-2, appropriated to the office of budget and program planning and allocated to the ~~governor~~ DEPARTMENT OF  
23 COMMERCE for the fiscal year beginning July 1, 2020, for communications ~~project grants as follows.~~

24 ~~Appropriation authority is intended to be allocated to the following items. Appropriations are~~ PROJECTS. THE  
25 APPROPRIATION IS authorized to continue through the biennium beginning July 1, 2023.

26	Amount	ARPA Section
27	<del>250,000,000</del> <u>275,000,000</u>	9901, 602

28 (2) Communication projects are those related to broadband, INFRASTRUCTURE, INCLUDING cell towers, or

1 public safety, IF ELIGIBLE.

2 (3) For ~~any grant~~ PROJECTS awarded with these funds, a local government or private entity must provide  
3 matching funds.

4 (4) References to "ARPA Section" mean references to section 9901 of the American Rescue Plan Act  
5 of 2021, Public Law 117-2, which amends Title VI of the Social Security Act to include section 602 ~~or section~~  
6 ~~604.~~

7 (5) UP TO 3% OF THE FUNDS APPROPRIATED IN THIS SECTION MAY BE ALLOCATED FOR ADMINISTRATIVE  
8 COSTS.

9  
10 NEW SECTION. Section 10. Eligibility -- submission deadline -- preference -- approval of  
11 recommendations. ~~(1) Local governments and private entities shall submit grant requests and supporting~~  
12 ~~materials, including the amount of matching funds available, to the applicable state agency by July 1, 2021, in~~  
13 ~~order to be eligible for funding under [section 6 7 8]. The agency will review grant applications, rank projects,~~  
14 ~~and issue a list of recommended projects to the advisory commission by August 15, 2021.~~

15 ~~(2)(1)~~ The department of commerce shall certify that the projects listed in the recommendations are  
16 necessary investments in compliance with the American Rescue Plan Act and all applicable guidance.

17 (2) (a) The advisory commission shall review the lists of recommended projects and issue a ~~final~~ list of  
18 recommended projects to the executive by September 1, 2021.

19 (b) The commission shall certify that the projects listed in the recommendations are necessary  
20 investments in compliance with the American Rescue Plan Act and all applicable guidance.

21 ~~(3)(2)(3)~~ In preparing recommendations, preference must be given to projects that provide broadband  
22 access to frontier, UNSERVED, and underserved, and high needs areas AS DESIGNATED BY THE DEPARTMENT OF  
23 COMMERCE. Preference may also be given to projects that provide a higher match rate.

24 ~~(4)(3)(4)~~ The recommendations of the advisory commission must be considered by the governor and  
25 reviewed to comply with the American Rescue Plan Act and all applicable guidance. The governor may modify  
26 recommendations and shall provide the ~~final~~ list of approved projects to the communications advisory  
27 commission and the legislative finance committee ~~by October 15, 2021.~~ IF THE GOVERNOR MODIFIES THE LIST OF  
28 RECOMMENDED PROJECTS SUBMITTED BY THE COMMISSION, THE OFFICE OF BUDGET AND PROGRAM PLANNING

1 department of commerce SHALL REPORT AND EXPLAIN THE CHANGES TO THE communications ADVISORY  
 2 COMMISSION AND THE LEGISLATIVE FINANCE COMMITTEE AT ITS NEXT SCHEDULED MEETING.

3 ~~(4)(5)~~ If ~~it is the governor~~ later ~~determined~~ determines that a project cannot be completed, the governor  
 4 may authorize ~~another~~ A DIFFERENT project and provide a report to the communications advisory commission  
 5 and the legislative finance committee. If at any time ~~it is determined~~ the governor determines that a project is  
 6 identified not to be eligible based on ~~federal~~ the American Rescue Plan Act guidance ~~or regulation~~ and, if  
 7 completed, ~~would may~~ result in a reduction in funds from the American Rescue Plan Act or require the state to  
 8 repay or refund money to the federal government pursuant to the American Rescue Plan Act, the governor may  
 9 authorize ~~another~~ A DIFFERENT project and provide a report to the communications advisory commission and the  
 10 legislative finance committee.

11

12 NEW SECTION. Section 11. Economic TRANSFORMATION AND stabilization and workforce  
 13 development ADVISORY commission. (1) There is an American Rescue Plan economic TRANSFORMATION AND  
 14 stabilization and workforce development advisory commission.

15 (2) The commission consists of nine members, who must be appointed as follows:

16 (a) three senators, two from the majority party and one from the minority party, appointed by the senate  
 17 president;

18 (b) three representatives, two from the majority party and one from the minority party, appointed by the  
 19 speaker of the house; and

20 (c) three members appointed by the governor.

21 (3) The commission shall review applications for funding proposals for economic TRANSFORMATION AND  
 22 stabilization projects and workforce development programs from the department of commerce, department of  
 23 agriculture, and department of labor and industry and provide a list of recommendations to the executive.

24 (4) The commission shall certify that each proposal submitted qualifies for funding pursuant to the  
 25 American Rescue Plan Act and all applicable guidance.

26 ~~(4)(5)~~ Appointed members of the commission must be compensated and receive travel expenses as  
 27 provided for in 2-15-124 for each day in attendance at commission meetings or in the performance of any duty  
 28 or service as a commission member.

1 ~~(5)(6) THE~~ Except for landlords receiving emergency rental assistance and entities receiving mortgage  
 2 assistance payments, the ECONOMIC TRANSFORMATION AND STABILIZATION and workforce development ADVISORY  
 3 COMMISSION SHALL REQUIRE BUSINESS and other organization APPLICANTS TO DISCLOSE WHETHER THEY RECEIVED  
 4 MONEY ADMINISTERED BY THE STATE FROM THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT OF 2020  
 5 (CARES ACT) OR THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2020  
 6 (CRRSA) AND, IF SO, THE AMOUNT RECEIVED AND THE BASIS AND PURPOSE OF THE AWARD. IN MAKING ITS  
 7 RECOMMENDATIONS, THE ADVISORY COMMISSION SHALL TAKE INTO ACCOUNT THE FACT THAT THE APPLICANT HAS  
 8 ALREADY BENEFITED FROM FEDERAL ASSISTANCE PROVIDED IN RESPONSE TO COVID-19, BUT A PREVIOUS CARES ACT  
 9 OR CRRSA AWARD ~~MAY~~ does NOT PRECLUDE CONSIDERATION OF AN APPLICATION.

10 ~~(6)(7)~~ THE DEPARTMENT OF COMMERCE SHALL STAFF THE COMMISSION.

11 ~~(7)(8)~~ FUNDING FOR THE COMMISSION IS ALLOCATED FROM THE ADMINISTRATIVE COSTS ALLOWED IN [SECTION  
 12 12].

13 ~~(9)~~ The commission shall hold its first meeting no later than June 11, 2021.

14 ~~(10)~~ The commission shall set its future meeting dates.

15 ~~(11)~~ The commission shall elect a chair from the legislative branch and a vice chair from the executive  
 16 branch.

17  
 18 **NEW SECTION. Section 12. Appropriations APPROPRIATION for economic TRANSFORMATION AND**

19 **stabilization and workforce development grants.** (1) There are federal funds received pursuant to the  
 20 American Rescue Plan Act of 2021, Public Law 117-2, appropriated to the office of budget and program  
 21 planning and allocated to the governor for the fiscal year beginning July 1, 2020, for economic TRANSFORMATION  
 22 AND stabilization grants ~~or loans and workforce development grants~~ as follows. ~~Appropriation authority is~~  
 23 ~~intended to be allocated to the following items. Appropriations are~~ THE APPROPRIATION IS authorized to continue  
 24 through the biennium beginning July 1, 2023.

25	Amount	ARPA Section
26	150,000,000	9901, 602

27 ~~(2)~~ \$10 MILLION OF THE FUNDS APPROPRIATED IN THIS SECTION MUST BE USED FOR RAPID RETRAINING ~~JOBS~~  
 28 TRAINING.

1           (3) ~~THE APPROPRIATION IN THIS SECTION MAY BE USED FOR WORKFORCE DEVELOPMENT AND eligible~~ BUSINESS  
 2 TRANSFORMATION AND STABILIZATION ~~and workforce development~~ PROGRAMS, INCLUDING BUT NOT LIMITED TO  
 3 ~~WORKFORCE TRAINING INCLUDING RAPID RETRAINING, RETURN-TO-WORK BONUSES, OR SHORT-TERM WAGE SUBSIDIES,~~  
 4 ~~BUSINESS ASSISTANCE FOR HIRING OR REHIRING EMPLOYEES, BUSINESS ASSISTANCE FOR TRAINING OR RETRAINING~~  
 5 ~~EMPLOYEES, BUSINESS TECHNOLOGY GRANTS, AGRICULTURAL RESILIENCY, AND BUSINESS TRANSFORMATION OR~~  
 6 ~~STABILIZATION GRANTS.~~

7           (4) ~~UP TO 3% OF THE FUNDS APPROPRIATED IN THIS SECTION MAY BE ALLOCATED FOR ADMINISTRATIVE COSTS.~~

9           NEW SECTION. Section 13. Eligibility -- ~~submission deadline -- preference -- approval of~~  
 10 recommendations. (1) APPLICABLE AGENCIES SHALL RECOMMEND PROGRAMS AND FUNDING AMOUNTS TO THE  
 11 ADVISORY COMMISSION FOR REVIEW AND COMMENT ~~for funding under [section 12].~~

12           (2) ~~WITHIN THE PROGRAMS ESTABLISHED BY THE APPLICABLE AGENCIES, Businesses~~ BUSINESSES OR OTHER  
 13 ~~ORGANIZATIONS~~ shall submit grant requests and supporting materials to the applicable state agency by July 1,  
 14 2024, in order to be eligible for funding under [section 9 ~~10 11 12~~]. Applicants shall certify that each grant  
 15 request is eligible under the American Rescue Plan Act and all applicable guidance. The agency will review  
 16 grant applications, rank grant applications, and issue a list of recommended grants to the ADVISORY commission  
 17 ESTABLISHED IN [SECTION 8 ~~10 11~~] by August 15, 2024.

18           ~~(2)~~(3) The advisory commission shall review the lists of recommended grants and other proposed uses  
 19 of the funds and issue a ~~final~~ list of recommended grants and uses of funds to the executive by ~~September 1,~~  
 20 2024.

21           (4) The applicable agency shall certify that each grant request is eligible under the American Rescue  
 22 Plan Act and all applicable guidance.

23           ~~(4)~~(5) THE APPLICABLE AGENCY IS AUTHORIZED TO PRESENT ~~ADDITIONAL-multiple~~ ROUNDS OF GRANT  
 24 PROPOSALS TO THE COMMISSION AS NEEDED.

25           ~~(3)~~(5)(6) THE ADVISORY COMMISSION SHALL PROVIDE ~~OVERSIGHT AND~~ RECOMMENDATIONS ON the use of  
 26 FUNDS APPROPRIATED PURSUANT TO [SECTION 11 ~~13~~ THROUGH 14 ~~16~~] ~~[SECTIONS 14, 16, AND 17]~~ [section 16]. THE  
 27 DEPARTMENT OF COMMERCE SHALL REPORT TO THE ADVISORY COMMISSION ON LOANS MADE IN ACCORDANCE WITH THE  
 28 FEDERAL REQUIREMENTS OF THE STATE SMALL BUSINESS CREDIT INITIATIVE IN [SECTION 15].

1           ~~(3)(4) (6)(7)~~ The recommendations of the advisory commission must be considered by the governor  
 2 and reviewed to comply with the American Rescue Plan Act and all applicable guidance. The governor may  
 3 modify recommendations and shall provide the final list of approved ~~PROJECTS programs and business and~~  
 4 ~~other organization grantees~~ to the legislative finance committee ~~by October 15, 2021~~. ~~IF THE GOVERNOR~~  
 5 ~~MODIFIES THE LIST OF RECOMMENDED PROJECTS grants SUBMITTED BY THE COMMISSION, THE OFFICE OF BUDGET AND~~  
 6 ~~PROGRAM PLANNING applicable agency~~ SHALL REPORT AND EXPLAIN THE CHANGES TO THE ~~ADVISORY COMMISSION~~  
 7 ~~AND TO THE LEGISLATIVE FINANCE COMMITTEE AT ITS NEXT SCHEDULED MEETING.~~

8           ~~(7)(8)~~ If ~~it is the governor~~ later ~~determined~~ determines that a ~~project program or grant~~ cannot be  
 9 completed, the governor may authorize ~~another~~ A DIFFERENT ~~project program or grant~~ and provide a report to  
 10 ~~the advisory commission and~~ the legislative finance committee. If at any time ~~it is determined that a project is~~  
 11 ~~identified not to be eligible based on federal guidance or regulation and, if completed, would the governor~~  
 12 ~~determines that a program or grant is identified not to be eligible based on the American Rescue Plan Act~~  
 13 ~~guidance and, if completed, may~~ result in a reduction in funds from the American Rescue Plan Act or require  
 14 the state to repay or refund money to the federal government pursuant to the American Rescue Plan Act, the  
 15 governor may authorize ~~another~~ A DIFFERENT ~~project program or grant~~ and provide a report to ~~the advisory~~  
 16 ~~commission and~~ the legislative finance committee.

18           NEW SECTION. Section 14. Appropriations for housing and workforce training programs. (1)

19 There are federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2,  
 20 appropriated to the office of budget and program planning and allocated to the department of commerce as  
 21 follows for the fiscal year beginning July 1, 2020. Appropriation authority is intended to be allocated to the  
 22 following items. Appropriations are authorized to continue through the biennium beginning July 1, 2023.

Amount	Purpose	ARPA Section
50,000,000	Mortgage Assistance	3206, <del>3208</del>
11,000,000 <u>11,459,768</u>	<del>Revolving Fund for Low-Income Housing</del> <u>HOME PROGRAM</u>	
<u>SUPPLEMENTAL ALLOCATION</u>		3205
152,400,000	Emergency Rental Assistance	3201, <del>3202</del> , 3204
	Workforce _____	

## Amendment - Reference

1           ~~(2) Grants and other uses of funds must be targeted to industries with workforce shortages and~~  
2 ~~promoting high-demand, high-wage jobs, and short-term training to be delivered in the private sector.~~

3           ~~(3)(2) For Emergency Rental Assistance, funds may be used to pay rent or rental arrears to any place~~  
4 ~~where someone pays on a periodic basis for shelter, including but not limited to nursing homes, senior assisted~~  
5 ~~living, group homes, low-income housing, workforce housing, transitional housing, and correctional facilities, IF~~  
6 ~~ELIGIBLE. IF FEDERAL the American Rescue Plan Act and all applicable GUIDANCE ALLOWS FOR OTHER USES OF~~  
7 ~~EMERGENCY RENTAL ASSISTANCE FUNDS, THESE FUNDS MAY BE USED FOR THOSE ADDITIONAL AUTHORIZED eligible~~  
8 ~~PURPOSES.~~

9           ~~(4)(3) The economic stabilization ADVISORY commission ESTABLISHED IN [SECTION 8 40 11] shall may~~  
10 ~~provide oversight recommendations to the department on the use of funds in this section.~~

11           ~~(5)(4) The department of commerce or applicable agency is encouraged to use existing programs,~~  
12 ~~where feasible, to implement the programs provided for in this section.~~

13  
14           NEW SECTION. Section 15. State Small Business Credit Initiative insert. There is appropriated to  
15 the department of commerce up to \$65 million in federal funds received pursuant to section 3301 of the  
16 American Rescue Plan Act of 2021, Public Law 117-2, for the State Small Business Credit Initiative. Funds are  
17 to be distributed in accordance with ~~department of treasury~~ the American Rescue Plan Act and applicable  
18 ~~guidelines and as detailed in the department of commerce application specific to the program.~~ The  
19 appropriation is for the fiscal year beginning July 1, 2020, and is authorized to continue through the biennium  
20 beginning July 1, 2031.

21  
22           NEW SECTION. Section 16. Appropriations to department of labor and industry. (1) There are  
23 federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, appropriated to  
24 the department of labor and industry for the fiscal year beginning July 1, 2020, that are authorized to continue  
25 through the biennium beginning July 1, 2023. Appropriation authority is intended to be allocated to the following  
26 items.

27	Amount	Purpose	ARPA Section
28	5,500,000	<del>Workforce</del> <u>OFFICE OF COMMUNITY SERVICE</u>	2206

Amendment - Reference

1 5,200,000 Unemployment Administration 9031, 9032

2 ~~2,000,000 RAPID RETRAINING FOR VETERANS 8006~~

3 (2) References to "ARPA Section" mean references to sections of the American Rescue Plan Act of  
4 2021, Public Law 117-2.

5  
6 **NEW SECTION. Section 17. Appropriations to department of transportation -- grants.** (1) There  
7 are federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, appropriated  
8 to the department of transportation for the fiscal year beginning July 1, 2020, that are authorized to continue  
9 through the biennium beginning July 1, 2023. Appropriation authority is intended to be allocated to the following  
10 items.

11	Amount	Purpose	ARPA Section
12	600,000	Grants <del>to</del> <u>for State-Owned</u> Airports	7102
13	<del>800,000</del> <u>2,777,812</u>	Grants for Rural Transit	3401

14 (2) References to "ARPA Section" mean references to sections of the American Rescue Plan Act of  
15 2021, Public Law 117-2.

16  
17 **NEW SECTION. Section 18. Health advisory commission.** (1) There is an American Rescue Plan  
18 health advisory commission.

19 (2) (a) The commission consists of ~~nine members, who must be appointed as follows:~~

20 ~~(a) three senators, two from the majority party and one from the minority party, appointed by the senate~~  
21 ~~president;~~

22 ~~(b) three representatives, two from the majority party and one from the minority party, appointed by the~~  
23 ~~speaker of the house; and;~~

24 (i) three senators, two from the majority party and one from the minority party, appointed by the senate  
25 president;

26 (ii) four representatives, three from the majority party and one from the minority party, appointed by the  
27 speaker of the house; and

28 (iii) three members appointed by the governor.



1 ~~(a)(b) for~~ For legislative appointments, legislators servings as MEMBERS OF THE JOINT APPROPRIATIONS

2 SUBCOMMITTEE FOR HEALTH AND HUMAN SERVICES FROM THE 67TH LEGISLATURE are given preference; AND

3 ~~(c)(b) three members appointed by the governor.~~

4 (3) The commission shall recommend how funds allocated to the department of public health and  
5 human services are to be used.

6 (4) Appointed members of the commission must be compensated and receive travel expenses as  
7 provided for in 2-15-124 for each day in attendance at commissions meetings or in the performance of any duty  
8 or service as a commission member.

9 (5) THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES SHALL STAFF THE COMMISSION.

10 (6) FUNDING FOR THE COMMISSION IS ALLOCATED FROM THE ADMINISTRATIVE COSTS ALLOWED IN [SECTION 20].

11 (7) The commission shall hold its first meeting no later than June 11, 2021.

12 (8) The commission shall set its future meeting dates.

13 (9) The commission shall elect a chair from the legislative branch and a vice chair from the executive  
14 branch.

15  
16 NEW SECTION. Section 19. Deadlines -- meetings -- recommendations -- approval. (1) The  
17 ~~committee~~ commission shall meet on or before June ~~1 11~~, 2021, and shall report its ~~RECOMMENDATIONS~~  
18 recommended programs and amounts for which funds are appropriated in [section 20] to the director of the  
19 department of public health and human services ~~on or before June 15, 2021, OR AS OTHERWISE IDENTIFIED BY A~~  
20 ~~MAJORITY OF THE COMMISSION.~~ The commission shall certify that each program recommended is for an eligible  
21 use under the American Rescue Plan Act and all applicable guidance. The department shall also certify that  
22 each program recommended is for an eligible use under the American Rescue Plan Act and all applicable  
23 guidance.

24 (2) ~~The recommendations of the advisory commission must be considered by the executive.~~ The  
25 department shall provide reports ~~to the commission ON IMPLEMENTATION,~~ as requested, to the commission and  
26 to the office of budget and program planning on implementation of programs funded in [section 20], including  
27 reporting on the expenditure of funds and measurable outcomes of the programs.

28 (3) THE RECOMMENDATIONS OF THE ADVISORY COMMISSION MUST BE CONSIDERED BY THE GOVERNOR AND

1 REVIEWED TO COMPLY WITH THE AMERICAN RESCUE PLAN ACT AND ALL APPLICABLE GUIDANCE. THE GOVERNOR MAY  
 2 MODIFY RECOMMENDATIONS AND SHALL PROVIDE THE LIST OF APPROVED ~~PROJECTS~~ programs and amounts to the  
 3 health advisory commission and TO THE LEGISLATIVE FINANCE COMMITTEE ~~BY OCTOBER 15, 2024~~. IF THE GOVERNOR  
 4 MODIFIES THE LIST OF ~~RECOMMENDATIONS~~ recommended programs and amounts SUBMITTED BY THE COMMISSION,  
 5 THE ~~OFFICE OF BUDGET AND PROGRAM PLANNING~~ department of public health and human services SHALL REPORT  
 6 AND EXPLAIN THE CHANGE TO THE ADVISORY COMMISSION AND TO THE LEGISLATIVE FINANCE COMMITTEE AT ITS NEXT  
 7 SCHEDULED MEETING.

8 ~~(4) IF IT IS LATER DETERMINED THAT A PROJECT CANNOT BE COMPLETED, THE GOVERNOR MAY AUTHORIZE A~~  
 9 ~~DIFFERENT PROJECT AND PROVIDE A REPORT TO THE LEGISLATIVE FINANCE COMMITTEE. IF AT ANY TIME IT IS~~  
 10 ~~DETERMINED THAT A PROJECT IS IDENTIFIED NOT TO BE ELIGIBLE BASED ON FEDERAL GUIDANCE OR REGULATION AND, IF~~  
 11 ~~COMPLETED, WOULD~~ If the governor later determines that a program cannot be completed, the governor, or the  
 12 budget director under the direction of the governor, may authorize a different program and provide a report to  
 13 the health advisory commission and the legislative finance committee. If at any time the governor determines  
 14 that a program is identified not to be eligible based on the American Rescue Plan Act guidance and, if  
 15 completed, may RESULT IN A REDUCTION IN FUNDS FROM THE AMERICAN RESCUE PLAN ACT OR REQUIRE THE STATE  
 16 TO REPAY OR REFUND MONEY TO THE FEDERAL GOVERNMENT PURSUANT TO THE AMERICAN RESCUE PLAN ACT, THE  
 17 GOVERNOR, or the budget director under the direction of the governor, MAY AUTHORIZE A DIFFERENT ~~PROJECT~~  
 18 program AND PROVIDE A REPORT TO the health advisory commission and THE LEGISLATIVE FINANCE COMMITTEE.

20 **NEW SECTION. Section 20. Appropriations to department of public health and human**  
 21 **services.** (1) There are federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law  
 22 117-2, appropriated to the department of public health and human services for the fiscal year beginning July 1,  
 23 2020, and continuing into the biennium beginning July 1, 2021. Appropriations are authorized to continue  
 24 through the biennium beginning July 1, 2023. Appropriation authority is intended to be allocated to the following  
 25 items. References to "ARPA Section" mean references to sections in the American Rescue Plan Act of 2021,  
 26 Public Law 117-2.

	Amount	Program	ARPA Section
28	43,000,000 <u>11,000,000</u>	SNAP	1101,1102

**Amendment - Reference**

67th Legislature

Drafter: Julie Johnson, 406-444-4024

HB 632.4.2

1	200,000	Commodity Supplemental Food Program	1104
2	900,000	Family Violence Prevention	2204
3	1,111,000	Child Abuse Prevention	2205
4	22,500,000	Vaccine Distribution and Supply	2301
5	143,400,000	Testing and Contact Tracing	2401
6	<del>411,000,000</del> <u>112,500,000</u>	Child Care Stabilization & Block Grants	2201, 2202
7	1,700,000	State Veterans' Homes	8004
8	23,000,000	Public Health Workforce	2501
9	<del>20,000,000</del>	<del>Rapid Retraining Jobs Training</del>	<del>9901/602</del>
10	<del>47,000,000</del> <u>10,500,000</u>	SAMHSA/Mental Health and Substance Use Disorder	
11		Mental Health Block Grant	<u>2701, 2702, 2703, 2705,</u>
12	<u>2706, 2707</u>		
13		<del>Substance Abuse Prevention and Treatment</del>	<del>2702</del>
14		<del>Block Grant</del>	
15		<del>Mental and Behavioral Health Training</del>	<del>2703</del>
16		<del>Grants for Healthcare Providers to Promote</del>	<del>2705</del>
17		<del>Mental and Behavioral Health</del>	
18		<del>Community-based Funding for Local</del>	
19		<del>Substance Use Disorder Services</del>	<del>2706</del>
20		<del>Community-based Funding for</del>	<del>2707</del>
21		<del>Local Behavioral Health Needs</del>	
22	<del>24,000,000</del> <u>31,775,000</u>	LIHEAP/Water Assistance	2911, 2912
23	1,000,000	Supporting Older Americans and Families	2921
24		<del>Home and Community-Based Supportive</del>	<del>2924</del>
25		<del>Services for Blind News Service</del>	
26	930,000	Emergency Food and Shelter Program	4007, 4008
27	2,726,000	Pandemic Emergency Assistance	9201
28		<del>Elder Justice Programs</del>	<del>9304</del>

## Amendment - Reference

67th Legislature

Drafter: Julie Johnson, 406-444-4024

HB 632.4.2

1 ~~Maternal, Infant, and Early Childhood~~ ~~9104~~

2 ~~Home Visiting~~

3 1,130,000 WIC 1105

4 1,223,000 IDEA Infants and toddlers 2014

5 (2) THERE ARE FEDERAL FUNDS RECEIVED PURSUANT TO SECTION 9901 OF THE AMERICAN RESCUE PLAN ACT  
6 OF 2021, PUBLIC LAW 117-2, WHICH AMENDS TITLE VI OF THE SOCIAL SECURITY ACT TO INCLUDE SECTION 602,  
7 APPROPRIATED TO THE OFFICE OF BUDGET AND PROGRAM PLANNING AND ALLOCATED TO THE DEPARTMENT OF PUBLIC  
8 HEALTH AND HUMAN SERVICES, if eligible, AS FOLLOWS:

9 (A) up to \$15 MILLION FOR NURSING HOME SUPPLEMENTAL and hospital-based swing bed PAYMENTS; AND

10 (B) up to \$2.75 MILLION FOR A MEDICAID-provider RATE STUDY.

11 ~~(2)(3)~~ For SNAP, the appropriation is to be used for the 15% benefit extension, for administration, and  
12 for ~~contracted private sector~~ workforce training THROUGH EXISTING PROGRAMS IN THE DEPARTMENT OF LABOR AND  
13 INDUSTRY OR THROUGH CONTRACTED PRIVATE SECTOR VENDORS.

14 ~~(3) For Rapid Retraining Jobs Training, funding is appropriated to the department of health and human~~  
15 ~~services for contracted private sector workforce training. This training is to prioritize short-term training for high-~~  
16 ~~demand occupations. The department will use pay-for-performance contracts and require quarterly reporting~~  
17 ~~that follows up on individual job placements for 1 full year after training.~~

18 (4) For SAMHSA, it is the intent of the legislature that the executive consider use of the SAMHSA funds  
19 above for the purposes of the HEART fund and for suicide prevention, including the use of the Utah model for  
20 suicide prevention that includes social media outreach, and for potential use in the department of corrections.

21 (5) For Child Care ~~Stabilization~~ block grants provided for in section 2201 of the American Rescue Plan  
22 Act of 2021, Public Law 117, the department shall prioritize the use the-of funds for a subgrant system,  
23 ~~prioritized~~ to child care deserts for one-time equipment and necessary infrastructure, property improvements,  
24 worksite child care, LICENSING, and employee training AND PROFESSIONAL DEVELOPMENT.

25 (6) For nursing home and hospital-based swing bed payments, the department of public health and  
26 human services will allocate \$15 million to nursing home facilities and facilities with hospital-based swing beds  
27 by the later of May 31, 2021, or 15 days after the receipt of federal funds from the American Rescue Plan Act.  
28 The allocation will be made based on the number of medicaid patient days each facility had from January 1,

1 2020, through December 31, 2020. It is the intent of the legislature that no additional supplemental funds be  
2 allocated to nursing homes and facilities with hospital-based swing beds.

3 (7) For the provider rate study, the department of public health and human services will study the  
4 impact of COVID-19 on providers and make recommendations to adjust rates, if necessary, to reflect impacts to  
5 providers in an effort to maintain services.

7 NEW SECTION. Section 21. Appropriation ALLOCATION to the judicial branch. (1) There is  
8 appropriated \$944,721 in federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law  
9 117-2 (602), TO THE OFFICE OF BUDGET AND PROGRAM PLANNING AND ALLOCATED to the judicial branch to support  
10 court operations impacted by the pandemic by streamlining the resolution of family law cases through early  
11 mediation and simplified proceedings in judicial districts with heavy caseloads or in remote areas of the state, if  
12 eligible.

13 (2) Prior to implementation, the judicial branch shall submit a program plan to the office of budget and  
14 program planning and the legislative finance committee, including effectiveness measures for the program and  
15 information and explanation demonstrating that the program qualifies for funds under the American Rescue  
16 Plan Act. The judicial branch shall also certify that the program is eligible under the American Rescue Plan Act  
17 and all applicable guidance.

18 (3) The judicial branch shall provide quarterly reports to the office of budget and program planning, the  
19 legislative finance committee, and, if House Bill No. 497 is passed and approved, to the judicial branch, law  
20 enforcement, and justice budget committee, on the implementation of the program, the expenditure of funds,  
21 and measurable outcomes of the program.

23 NEW SECTION. Section 22. ~~Appropriation ALLOCATION to department of justice.~~ (1) There are  
24 federal funds received from the American Rescue Plan Act of 2021, Public Law 117-2, appropriated ~~ALLOCATED~~  
25 to the department of justice for the fiscal year beginning July 1, 2020 ~~FROM THE FUNDS APPROPRIATED IN [SECTION~~  
26 7]. Appropriation authority is intended to be allocated to the following items. Appropriations are authorized to  
27 continue in the biennium beginning July 1, 2023. References to "ARPA Section" mean references to sections in  
28 the American Rescue Plan Act of 2021, Public Law 117-2.

1	<del>Amount</del>	<del>Program</del>	<del>ARPA Section</del>
2	<del>1,000,000</del>	<del>Freezer, Morgue, and Refrigeration Space</del>	<del>9901, 604</del>
3	<del>1,000,000</del>	<del>Crime Lab Facility Space</del>	<del>9901, 602</del>
4	<del>(2) AUTHORITY IS GRANTED TO CONSTRUCT THE PROJECTS IN THIS SECTION.</del>		

5

6 **NEW SECTION. Section 22. Appropriations to office of public instruction AND OFFICE OF BUDGET**

7 **AND PROGRAM PLANNING.** (1) There are federal funds received pursuant to the American Rescue Plan Act of

8 2021, Public Law 117-2, appropriated to the office of public instruction for the fiscal year beginning July 1, 2020.

9 Appropriation authority is intended to be allocated to the following items. Appropriations are authorized to

10 continue through the biennium beginning July 1, 2023. References to "ARPA Section" mean references to

11 sections in the American Rescue Plan Act of 2021, Public Law 117-2.

12	Amount	Purpose	ARPA Section
13	343,817,312	Basic Allocation to School Districts	2001
14	3,400,000	Supplemental Allocation to School Districts	2001
15	120,000	Allocation to Other Educational Institutions	2001
16	555,234	Education Leadership in Montana	2001
17	5,475,248	OPI Database Modernization	2001
18	1,910,096	Administration	2001
19	19,100,962	State Learning Loss	2001
20	3,820,192	State Summer Enrichment	2001
21	3,820,192	State Afterschool Programs	2001
22	<del>7,000,000</del>	<del>Assistance to Nonpublic Schools</del>	<del>2002</del>
23	<del>10,200,000</del> <u>9,241,420</u>	<del>Individual</del> <u>INDIVIDUALS</u> with Disabilities <u>EDUCATION</u> Act	<del>2002</del> 2014

24 (2) The appropriations to the office of public instruction in subsection (1) are restricted as follows:

25 (a) For Basic Allocation to School Districts, the amount allocated by the office of public instruction to

26 school districts must be as required by federal law. The office of public instruction shall distribute funds via

27 grants for expenses that are consistent with section 2001(e) of ESSER III.

28 (b) For Supplemental Allocation to School Districts, the office of public instruction shall allocate the

1 funds as follows:

2 (i) a school district with fewer than 6 quality educators receives \$10,000;

3 (ii) a school district with 6 or more quality educators that receives less than an amount equal to \$10,000  
4 times the number of the district's quality educators in the basic allocation receives an amount for every quality  
5 educator plus an additional \$50 for every quality educator that the district is below the statewide average of  
6 quality educators for each district;

7 (iii) the amount for every quality educator must be calculated to use the \$3.4 million appropriation; and

8 (iv) the office of public instruction shall distribute the funds in the same manner as used for the basic  
9 allocation.

10 (c) For Allocation to Other Educational Institutions, an allocation to the school for the deaf and blind,  
11 Pine Hills youth correctional facility, and the youth academy must be made on a per-quality-educator basis. The  
12 office of public instruction shall distribute the funds in the same manner as used for the basic allocation.

13 (d) For Education Leadership in Montana, the office of public instruction shall create a system to build  
14 the capacity of principals, teachers, and other leaders to ensure recovery of each school from the effects of the  
15 covid-19 pandemic in a model that addresses the learning opportunities missed and needed by each person to  
16 reach their full educational potential.

17 (e) For OPI Database Modernization, funds must be used by the office of public instruction to repair,  
18 improve, or replace existing data systems to respond to learning loss associated with the pandemic. Actions  
19 taken must be consistent with 20-7-104.

20 (f) For Administration, funds must be used by the office of public instruction for administration of  
21 ESSER III activities.

22 (g) For State Learning Loss, State Summer Enrichment, and State Afterschool Programs, funds may be  
23 used at the discretion of the office of public instruction for purposes allowed by federal law and may include  
24 grants to school districts. A school district may use these funds to provide allowable support to a special  
25 education cooperative of which it is a member. Any funds granted to school districts must be distributed in the  
26 same manner as used for the basic allocation.

27 (3) THERE IS APPROPRIATED ~~\$7~~ \$12.1 MILLION TO THE OFFICE OF BUDGET AND PROGRAM PLANNING FOR  
28 ASSISTANCE TO NONPUBLIC SCHOOLS FROM THE FUNDS RECEIVED PURSUANT TO SECTION 2002 OF THE AMERICAN

1 RESCUE PLAN ACT, PUBLIC LAW 117-2.

2 (4) The office of public instruction shall provide quarterly status reports on the implementation of  
 3 programs, the expenditure of funds, and measurable outcomes of the program to the office of budget and  
 4 program planning, to the legislative finance committee, and if House Bill No. 497 is passed and approved, to  
 5 the education budget committee.

7 NEW SECTION. Section 23. Appropriations to ~~commissioner of higher education, state library,~~  
 8 and Montana arts council. ~~(1) There are federal funds received pursuant to the American Rescue Plan Act of~~  
 9 2021, Public Law 117-2, appropriated to the office of budget and program planning and allocated to agencies  
 10 listed below for the fiscal year beginning July 1, 2020. Appropriation authority is intended to be allocated to the  
 11 following items. Appropriations are authorized to continue through the biennium beginning July 1, 2023.  
 12 References to "ARPA Section" mean references to sections in the American Rescue Plan Act of 2021, Public  
 13 Law 117-2.

Agency	Amount	Purpose	ARPA Section
Office of the Commissioner of Higher Education			
	7,500,000	Montana Research and Economic Development Initiative	602rr
	1,000,000	Teacher Education Programs	602rr
	1,000,000	Workforce Recovery COVID-19	602rr
	2,000,000	Accelerate Montana	602rr
	1,500,000	Cyber Hub	8006
	2,000,000	Center for Translational Medicine	602rr
	2,000,000	Rapid Retraining for Veterans	8006
Montana Arts Council	764,000		2021
State Library	120,000	Newsline	2921
	1,235,444	Hot Spot Lending Program	2023
	1,000,000	E-Learning Digital Content	2023



~~(2) For Teacher Education Programs, the purpose is to retool teacher education programs to train teachers on proficiency education success in a virtual world.~~

~~(2)(1) THERE ARE FEDERAL FUNDS RECEIVED PURSUANT TO SECTION 2021 OF THE AMERICAN RESCUE PLAN ACT OF 2021, PUBLIC LAW 117-2, IN THE AMOUNT OF \$764,000 APPROPRIATED TO THE MONTANA ARTS COUNCIL FOR THE FISCAL YEAR BEGINNING JULY 1, 2020. APPROPRIATIONS ARE AUTHORIZED TO CONTINUE THROUGH THE BIENNIUM BEGINNING JULY 1, 2023.~~

~~(3)(2) THERE ARE FEDERAL FUNDS RECEIVED PURSUANT TO THE AMERICAN RESCUE PLAN ACT OF 2021, PUBLIC LAW 117-2, APPROPRIATED TO THE STATE LIBRARY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020. APPROPRIATION AUTHORITY IS INTENDED TO BE ALLOCATED TO THE FOLLOWING ITEMS. APPROPRIATIONS ARE AUTHORIZED TO CONTINUE THROUGH THE BIENNIUM BEGINNING JULY 1, 2023.~~

<u>1,235,444</u>	<u>HOT SPOT LENDING PROGRAM</u>	<u>and broadband infrastructure in libraries</u>	<u>2023</u>
<u>1,000,000</u>	<u>E-LEARNING DIGITAL CONTENT</u>		<u>2023</u>

~~(4)(3) THERE IS ALLOCATED \$120,000 TO THE STATE LIBRARY FOR NEWSLINE FROM THE FUNDS APPROPRIATED IN [SECTION 20] FOR SUPPORTING OLDER AMERICANS AND FAMILIES, if eligible.~~

~~(4) Applicable agencies in this section shall provide quarterly status reports on the implementation of programs, the expenditure of funds, and measurable outcomes of the program to the office of budget and program planning, to the legislative finance committee, and if House Bill No. 497 is passed and approved, to the education budget committee.~~

NEW SECTION. Section 24. APPROPRIATION -- CORONAVIRUS LOCAL FISCAL RECOVERY FUND. THERE IS APPROPRIATED TO THE OFFICE OF BUDGET AND PROGRAM PLANNING \$81.8 MILLION TO DISTRIBUTE PURSUANT TO SECTION 9901 OF THE AMERICAN RESCUE PLAN ACT OF 2021, PUBLIC LAW, 117-2, WHICH AMENDS TITLE VI OF THE SOCIAL SECURITY ACT TO INCLUDE SECTION 603.

NEW SECTION. Section 25. AUDIT APPROPRIATIONS. (1) OF THE FEDERAL FUNDS APPROPRIATED TO THE OFFICE OF BUDGET AND PROGRAM PLANNING IN [~~SECTION~~sections 9 and 14] AND APPROPRIATED TO THE DEPARTMENT OF COMMERCE IN [SECTION 15], THE AMOUNT OF ~~\$20,500~~\$32,800 IS RESERVED FOR THE LEGISLATIVE AUDIT DIVISION AS A RESTRICTED AND BIENNIAL APPROPRIATION FOR THE 2023 BIENNIUM.

1           (2) OF THE FEDERAL FUNDS APPROPRIATED TO THE OFFICE OF BUDGET AND PROGRAM PLANNING IN [SECTIONS  
 2 2, 7, ~~AND-12, 22, 24, AND 27~~], THE AMOUNT OF ~~\$47,150~~ ~~\$34,850~~ IS RESERVED FOR THE LEGISLATIVE AUDIT DIVISION  
 3 AS A RESTRICTED AND BIENNIAL APPROPRIATION FOR THE 2023 BIENNIUM AS FOLLOWS:

4           (A) AMERICAN RESCUE PLAN ACT TESTING, ~~\$36,900~~ ~~\$24,600~~; AND

5           (B) SINGLE AUDIT ADMINISTRATION AND REPORTING, \$10,250.

6           (3) OF THE FEDERAL FUNDS APPROPRIATED TO THE OFFICE OF PUBLIC INSTRUCTION IN [SECTION ~~23~~ 22], THE  
 7 AMOUNT OF \$20,500 IS RESERVED FOR THE LEGISLATIVE AUDIT DIVISION AS A RESTRICTED AND BIENNIAL  
 8 APPROPRIATION FOR THE 2023 BIENNIUM.

9           (4) OF THE FEDERAL FUNDS APPROPRIATED TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES IN  
 10 [SECTION 20], THE AMOUNT OF \$12,300 IS RESERVED FOR THE LEGISLATIVE AUDIT DIVISION AS A RESTRICTED AND  
 11 BIENNIAL APPROPRIATION FOR THE 2023 BIENNIUM.

12           (5) THE LEGISLATIVE AUDIT DIVISION WILL INCLUDE ESTIMATED AUDIT COSTS ASSOCIATED WITH [THIS ACT] IN  
 13 THE ESTIMATED AUDIT COSTS PROVIDED FOR IN 5-13-402 FOR THE 2025 BIENNIUM.

14           (6) AS PROVIDED FOR IN 17-7-141, AGENCIES APPROPRIATED FUNDS THROUGH [THIS ACT] WILL RESERVE  
 15 ENOUGH MONEY FROM THESE FEDERAL FUNDS TO PAY ASSOCIATED AUDIT COSTS IN THE 2025 BIENNIUM.

16

17           NEW SECTION. Section 26. ~~Authorization to modify or increase~~ **MODIFICATIONS TO**

18 **appropriations and authorizations -- report of modifications or changes.** (1) The governor, or the budget  
 19 director under the direction of the governor, is authorized to redirect appropriations ~~and authorizations~~ to other  
 20 projects or appropriations or modify provisions within [this act] to ensure conformity with the American Rescue  
 21 Plan Act and applicable ~~federal laws, regulations, and guidance issued by federal agencies.~~

22           (2) (a) If a proposed line-item transfer or a fund switch in [this act] exceeds \$100,000, the budget  
 23 director shall submit ~~a legal analysis~~ an explanation and detailed description of the requested line-item transfer  
 24 or fund switch to the legislative fiscal analyst 30 days prior to the next scheduled meeting of the legislative  
 25 finance committee.

26           (b) For the purposes of this section, the following definitions apply:

27           (i) "Line-item transfer" means the transfer of appropriation authority from one line-item APPROPRIATION  
 28 to a different line-item APPROPRIATION WITHIN THE SAME SECTION OF [THIS ACT] or between any appropriations

## Amendment - Reference

1 ~~made in [sections 14 through 25] of [this act]. TRANSFERS ARE NOT AUTHORIZED BETWEEN APPROPRIATIONS MADE~~  
2 ~~IN DIFFERENT SECTIONS.~~

3 (ii) "Fund switch" means a change in a line-item fund source or account to another fund source or  
4 account.

5 ~~(3) WHEN AS FEDERAL GUIDANCE IS ISSUED BECOMES AVAILABLE RELATED TO THE USE OF "REDUCTION IN~~  
6 ~~REVENUE" FUNDS PURSUANT TO SECTION 9901 OF THE AMERICAN RESCUE PLAN ACT OF 2021, PUBLIC LAW 117-2,~~  
7 ~~AMENDING TITLE VI OF THE SOCIAL SECURITY ACT TO INCLUDE SECTION 602(C)(1)(C), OTHERWISE KNOWN AS~~  
8 ~~"REVENUE REPLACEMENT FUNDS", THE OFFICE OF BUDGET AND PROGRAM PLANNING WILL MAY CALCULATE THE AMOUNT~~  
9 ~~OF FUNDS AVAILABLE PURSUANT TO THAT SECTION 602 AND RECOMMEND TO THE GOVERNOR AND THE LEGISLATIVE~~  
10 ~~FINANCE COMMITTEE AN AMOUNT TO BE ALLOCATED AMONG THE APPROPRIATIONS OF 602 FUNDS IN [THIS ACT].~~

11 ~~(3)(4)~~ The legislative finance committee shall review the proposed line-item transfer or fund switch OR  
12 THE RECOMMENDATION ON THE USE OF REVENUE REPLACEMENT FUNDS AS PROVIDED IN SUBSECTION (3), at the next  
13 meeting. A representative of the office of budget and program planning shall be present at the meeting to  
14 discuss the proposal OR RECOMMENDATION. The legislative finance committee may take up to 15 days following  
15 its meeting to review and provide written comment on the proposal OR RECOMMENDATION. The office of budget  
16 and program planning may provide a response to the comments within 15 days of receiving the committee's  
17 comments.

18 ~~(4)(5)~~ The governor, or the budget director at the direction of the governor, is authorized to adjust the  
19 parameters of a program or service appropriated in [this act] to ensure conformity with applicable federal laws,  
20 regulations, and guidance issued by federal agencies. If the parameters of a program are adjusted, the office of  
21 budget and program planning shall notify the legislative finance committee of the change at its next scheduled  
22 meeting. The legislative finance committee may take up to 15 days following its meeting to review and provide  
23 written comment on the proposal. The office of budget and program planning may provide a response to the  
24 comments within 15 days of receiving the committee's comments.

25 ~~(5)(6)~~ If a proposed line-item transfer or a fund switch or a modification to the parameters of a program  
26 or service is of an urgent nature, the budget director shall notify the legislative fiscal analyst as soon as possible  
27 and the 30-day notice is not required. The legislative finance committee shall convene as soon as possible to  
28 review the proposal and provide comment. The meeting may be held in a virtual setting.

1           ~~(6)~~(7) If additional funds are received by the state from the federal government above the levels  
 2 appropriated in [this act], House Bill No. 3, or House Bill No. 630, the approving authority as defined in 17-7-102  
 3 may authorize a budget amendment as defined in Title 17, chapter 7, part 4, and the requirements of 17-7-  
 4 402(1)(e) do not apply. If a federal appropriation is not included in [this act], House Bill No. 3, or House Bill No.  
 5 630, for a specific grant authorized by the federal government or in an amount sufficient to appropriate the  
 6 entire amount received from a federal agency to deploy funds authorized by the federal government, the  
 7 requirements of 17-7-402(1)(e) do not apply.

8           (8) Except as provided in subsection (6), the governor may not take any of the following actions until  
 9 15 days after the legislative finance committee has met to address a:

10           (a) line-item transfer or fund switch in excess of \$100,000; or

11           (b) recommendation for the use of revenue replacement funds.

12  
 13           **NEW SECTION. Section 27. Dissemination PERFORMANCE MEASURES -- DISSEMINATION of**

14 **information -- reporting and accountability. (1) APPLICABLE AGENCIES WILL PROPOSE A PERFORMANCE**  
 15 **MEASUREMENT PLAN TO THE COMMISSIONS.**

16           (2) AN APPLICATION SUBMITTED TO A COMMISSION ESTABLISHED BY [SECTION 1, 5 7, 8 10, OR 15 17 ] MUST IN  
 17 [THIS ACT] MAY INCLUDE PERFORMANCE MEASURES TO ALLOW THE COMMISSION, STAKEHOLDERS, AND THE PUBLIC TO  
 18 UNDERSTAND WHAT THE APPLICANT INTENDS TO ACCOMPLISH AND, IF SELECTED TO RECEIVE MONEY FROM THE  
 19 AMERICAN RESCUE PLAN ACT, A BASIS TO EVALUATE WHETHER THE APPLICANT HAS ACHIEVED WHAT IT INTENDED TO  
 20 ACCOMPLISH. WHERE FEASIBLE, PERFORMANCE MEASURES SHOULD BE QUANTITATIVE.

21           (2)(3) QUARTERLY PERFORMANCE REPORTS MUST MAY BE PROVIDED TO THE OFFICE OF BUDGET AND  
 22 PROGRAM PLANNING APPLICABLE AGENCY BY ENTITIES THAT RECEIVE FUNDS FROM THE FEDERAL MONEY APPROPRIATED  
 23 IN [THIS ACT] TO PROVIDE AN ASSESSMENT OF THE OUTPUTS AND OUTCOMES ACHIEVED COMPARED TO THE  
 24 PERFORMANCE MEASURES SET FORTH IN THE ENTITIES' APPLICATIONS. THE REPORTS MUST MAY BE SUBMITTED BY THE  
 25 15TH DAY OF THE FIRST MONTH OF EACH QUARTER FOR THE PREVIOUS QUARTER UNTIL COMPLETION OF THE FUNDED  
 26 PROJECT.

27           (1) Agencies administering programs funded by the American Rescue Plan Act shall develop plans to  
 28 measure the effectiveness of the programs.

1 (2) Agencies administering programs funded by the American Rescue Plan Act shall require grant  
 2 applicants to state what they intend to accomplish if selected to receive funding. To the extent that the agencies  
 3 are able to determine generally applicable outcomes to determine the effectiveness of proposals submitted by  
 4 applicants, agencies shall require applicants to state how they will achieve those outcomes. Agencies may also  
 5 require applicants to state the outcomes that should be used to determine the effectiveness of their proposals  
 6 and how they will achieve those outcomes. Individual applicants who are not sole proprietorships, such as  
 7 individuals who participate in training programs or are recipients of benefits administered by the department of  
 8 public health and human services or the department of labor and industry, and business applicants that are  
 9 landlords only participating in one or both of the Emergency Rental Assistance Program and the Mortgage  
 10 Assistance Program or entities receiving mortgage payments, are exempt from the requirements in this  
 11 subsection.

12 (3) Agencies administering programs funded by the American Rescue Plan Act shall require periodic  
 13 reports from the applicants identified in the prior section to provide information necessary for the state to  
 14 comply with its federal and other compliance obligations, as well as any additional information necessary for the  
 15 agencies to confirm that applicants completed their proposals and achieved the intended outcomes. Where  
 16 feasible, quantitative data should be required.

17 ~~(3)~~(4) The office of budget and program planning shall promote the funding opportunities afforded in  
 18 [this act] and offer an online portal that directs prospective grantees to the various grant programs available  
 19 pursuant to [this act]. THE ONLINE PORTAL MUST ALSO PROVIDE DATA AND INFORMATION ON THE WEBSITE TO PROVIDE  
 20 TRANSPARENCY IN HOW FUNDS WERE SPENT AND IDENTIFY GRANT RECIPIENTS FOR BUSINESSES, LOCAL OR TRIBAL  
 21 GOVERNMENTS, OR NONPROFIT ORGANIZATIONS.

22 ~~(2)~~(4)(5) The office of budget and program planning shall provide quarterly reports to the legislative  
 23 finance committee throughout the interim on the implementation of [this act].

24 (6) (a) THE OFFICE OF BUDGET AND PROGRAM PLANNING IS APPROPRIATED ~~\$3.5~~\$3.7 MILLION TO PROVIDE  
 25 OVERSIGHT, PUBLIC INTERACTION, REPORTING, TRANSPARENCY, AND OTHER SERVICES FROM ~~602~~FUNDS received  
 26 pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social  
 27 Security Act to include section 602.

28 (b) \$200,000 of the amount appropriated in this subsection (6) is allocated to the legislative services

1 division for coordinating remote and hybrid meetings in the state capitol for state government in response to the  
2 increased demand for virtual meetings resulting from the COVID-19 pandemic.

3  
4 NEW SECTION. Section 28. Reduction in funding -- health regulations. If a local government is  
5 awarded grant funds pursuant to ~~[this act]~~ APPROPRIATED IN [SECTION 2], the amount of the grant is reduced by  
6 20% if that local government or any of its authorized agents have issued CURRENT health regulations related to  
7 COVID-19 that are more strict than those imposed by the state IN EFFECT AT THE TIME THE GRANT IS AWARDED.

8  
9 ~~NEW SECTION. Section 25. Consideration of select committee proposals.~~ The work of the select  
10 committee on House Bill No. 632 and its subcommittees must be considered by the advisory commissions  
11 established in ~~[this act]~~ when preparing final recommendations to the executive.

12  
13 **Section 29.** Section 2-17-603, MCA, is amended to read:

14 **"2-17-603. Government competition with private internet services providers prohibited --**  
15 **exceptions.** (1) Except as provided in subsection (2)(a) or (2)(b), an agency or political subdivision of the state  
16 may not directly or through another agency or political subdivision be an internet services provider.

17 (2) (a) An agency or political subdivision may act as an internet services provider if:

18 (i) no private internet services provider is available within the jurisdiction served by the agency or  
19 political subdivision; or

20 (ii) the agency or political subdivision provided services prior to July 1, 2001.

21 (b) An agency or political subdivision may act as an internet services provider when providing  
22 advanced services that are not otherwise available from a private internet services provider within the  
23 jurisdiction served by the agency or political subdivision.

24 (c) If a private internet services provider elects to provide internet services in a jurisdiction where an  
25 agency or political subdivision is providing internet services, the private internet services provider shall inform  
26 the agency or the political subdivision in writing at least 30 days in advance of offering internet services.

27 (3) Upon receiving notice pursuant to subsection (2)(c), the agency or political subdivision shall notify  
28 its subscribers within 30 days of the intent of the private internet services provider to begin providing internet

1 services and may choose to discontinue providing internet services within 180 days of the notice.

2 (4) Nothing in this section may be construed to prohibit an agency or political subdivision from:

3 (a) offering electronic government services to the general public; or

4 (b) acquiring access to the internet from a private internet services provider in order to offer electronic  
5 government services to the general public; or

6 ~~(c) investing in infrastructure to improve, construct, extend, expand, or maintain internet service as~~  
7 ~~determined appropriate by the political subdivision. Investment in infrastructure permitted in this section must~~  
8 ~~be:~~

9 ~~(i) in cooperation with a private internet service provider; or~~

10 ~~(ii) provided through an agreement or contract with a private internet service provider providing funding~~  
11 ~~for broadband service infrastructure projects consistent with the provisions of [this act]."~~

13 **NEW SECTION. Section 30. Maintenance of effort and equity for educational programs under**

14 **the American Rescue Plan Act of 2021.** (1) (a) For fiscal years 2022 and 2023, if the budget director  
15 determines that the state will not be in compliance with maintenance of effort requirements for higher education  
16 under section 317 of the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 or section  
17 2004 of the American Rescue Plan Act of 2021, then the budget director shall:

18 (i) if the noncompliance is for fiscal year 2022:

19 (A) request that the approving authority transfer appropriation authority for the "appropriation  
20 distribution" line in section E of House Bill No. 2 from fiscal year 2023 to fiscal year 2022 in an amount sufficient  
21 to address the maintenance of effort requirements; and

22 (B) request a supplemental appropriation from the 2023 legislature to replace the transferred fiscal year  
23 2023 authority; and

24 (ii) if the noncompliance is for fiscal year 2023, request a supplemental appropriation from the 2023  
25 legislature sufficient to address the maintenance of effort requirements.

26 (b) Increased appropriations pursuant to subsection (1)(a) must be distributed to units of the Montana  
27 university system at the discretion of the board of regents of higher education.

28 (2) (a) For fiscal years 2022 and 2023, if the budget director determines that the state will not be in

1 compliance with either maintenance of effort or maintenance of equity requirements or both for elementary and  
2 secondary education under section 317 of the Coronavirus Response and Relief Supplemental Appropriations  
3 Act of 2021 or section 2004 of the American Rescue Plan Act of 2021, then the budget director shall direct the  
4 superintendent of public instruction to provide either a maintenance of effort or maintenance of equity payment  
5 or both to school districts in a manner and amount that minimizes the total amount of additional funding  
6 provided by the state under this subsection (2).

7 (b) If in fiscal year 2022, the budget director determines that the state will not be in compliance with  
8 either maintenance of effort or maintenance of equity as provided in subsection (2)(a), the superintendent of the  
9 office of public instruction may move funds from program 09 "local activities" appropriations for the fiscal year  
10 beginning July 1, 2022, for distribution as provided for in subsection (2)(c).

11 (c) The superintendent of public instruction shall distribute the following payments from program 09  
12 "local education activities" appropriations to the office of superintendent of public instruction in section E of  
13 House Bill No. 2 as directed by the budget director:

14 (i) a maintenance of equity payment to specific school districts only as necessary and in the minimum  
15 amount required to ensure compliance; and

16 (ii) a maintenance of effort payment to each school district based on the ratio that the sum of the  
17 district's BASE budget and any maintenance of equity payment made to the district bears to the sum of  
18 statewide BASE budget amount and the statewide total of any maintenance of equity payments made to school  
19 districts.

20 (d) A school district receiving a payment under this subsection (2) shall deposit the money in the  
21 district's miscellaneous programs fund and may use the money for general operations and instruction as  
22 determined by the board of trustees.

23 (e) The budget director shall request a supplemental appropriation from the 2023 legislature to replace  
24 or augment authority as necessary for the purposes of this section.

25 (3) The superintendent shall report to the legislative finance committee on:

26 (a) any calculations, determinations, authority transfers, and payments made pursuant to this section;

27 (b) the status of any waivers sought by the state to the maintenance of effort or maintenance of equity  
28 requirements under section 317 of the Coronavirus Response and Relief Supplemental Appropriations Act of



1 2021 or section 2004 of the American Rescue Plan Act of 2021; and  
 2 (c) the need for supplemental appropriations due to payments made under this section.

3  
 4 NEW SECTION. Section 31. Notification to tribal governments. The secretary of state shall send a  
 5 copy of [this act] to each federally recognized tribal government in Montana.

6  
 7 NEW SECTION. Section 32. Notification of reduction or repayment of federal funds -- action for  
 8 declaratory judgment. If the budget director receives written notification from the federal government that a  
 9 provision in [this act] may result in a reduction in federal funds or require the state to pay or refund money to the  
 10 federal government pursuant to the American Rescue Plan Act of 2021, the governor's office shall file an action  
 11 for declaratory judgment to determine the validity of the provision.

12  
 13 NEW SECTION. Section 33. Restrictions on use of funds for lobbying activities. The governing  
 14 body of a state, county, or municipality may not spend funds received in [this act] to influence or attempt to  
 15 influence the outcome of any legislation pending before the legislature.

16  
 17 NEW SECTION. Section 34. LONG-RANGE PROJECTS FUNDING. (1) IF ANY OF THE ALLOCATIONS FOR  
 18 PROJECTS OUTLINED IN [SECTION 33 THROUGH 36] SECTIONS 35 THROUGH 38 ARE DETERMINED TO BE INELIGIBLE FOR  
 19 FUNDING THROUGH THE AMERICAN RESCUE PLAN ACT, FUNDING FOR EACH INELIGIBLE PROJECT IS APPROPRIATED FOR  
 20 THE PROJECT FROM THE SOURCE OF FUNDING DESIGNATED IN THE INTRODUCED VERSION OF THE RESPECTIVE LONG-  
 21 RANGE BILL.

22 (2) IF ANY portion OF THE ALLOCATIONS FOR PROJECTS OUTLINED IN [SECTION 37 39] ARE DETERMINED TO  
 23 BE INELIGIBLE FOR FUNDING THROUGH THE AMERICAN RESCUE PLAN ACT, a like portion of FUNDING FOR THOSE  
 24 PROJECTS SHALL BE:

25 (A) APPROPRIATED FROM THE CAPITAL DEVELOPMENTS LONG-RANGE BUILDING PROGRAM ACCOUNT  
 26 PROVIDED FOR IN 17-7-209 FOR PROJECTS FUNDED through [SECTION 1] OF HOUSE BILL NO. 14;

27 (B) APPROPRIATED FROM THE TREASURE STATE ENDOWMENT SPECIAL REVENUE ACCOUNT PROVIDED FOR IN  
 28 17-5-703(3)(A) FUNDED THROUGH [SECTION 5] OF HOUSE BILL NO. 14; AND

1 (C) APPROPRIATED FROM THE NATURAL RESOURCES PROJECTS STATE SPECIAL REVENUE ACCOUNT PROVIDED  
2 FOR IN 15-38-302 FUNDED THROUGH [SECTION 9] OF HOUSE BILL NO. 14.

3  
4 COORDINATION SECTION. Section 35. Coordination instruction -- House Bill No. 5. (1) If both  
5 House Bill No. 5 and [this act] are passed and approved, then the appropriations for the OPI MT Learning  
6 Center Civil Infrastructure Upgrades and the UM FLBS Sewer Treatment Plant in [section 2(1)] of House Bill  
7 No. 5 are void and there is ~~appropriated to the office of budget and program planning and allocated to the~~  
8 ~~department of administration \$2,050,000 from federal funds received pursuant to the American Rescue Plan~~  
9 ~~Act of 2021, Public Law 117-2, section 9901 (amending Title VI of the Social Security Act to include section~~  
10 ~~602), for those projects~~ FOR THOSE PROJECTS FROM THE FUNDS APPROPRIATED IN [SECTION 2].

11 (2) If both House Bill No. 5 and [this act] are passed and approved, then the appropriations for the  
12 following projects in [section 2(1)] of House Bill No. 5 are void and there is ~~appropriated to the office of budget~~  
13 ~~and program planning and allocated to the department of administration \$5,310,000~~ \$6,710,000 ~~from federal~~  
14 ~~funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending~~  
15 ~~Title VI of the Social Security Act to include section 604), for those projects~~ FOR THE FOLLOWING PROJECTS FROM  
16 THE FUNDS APPROPRIATED IN [SECTION 7]:

- 17 (a) MSU Haynes Hall Lab Ventilation Upgrades;
- 18 (b) MSU BLGS Art Annex Safety and System Upgrades;
- 19 (c) UM-HC Donaldson Building HVAC Upgrades;
- 20 (d) MSU-N Auto Tech Building System Improvements;
- 21 (e) MSDB Card Lock System; ~~and~~
- 22 (f) MSU-N Brockmann Center HVAC and Energy Project; and
- 23 (g) COVID-19 remote and office workspace study and planning.

24  
25 COORDINATION SECTION. Section 36. Coordination instruction -- House Bill No. 6. (1) If both  
26 House Bill No. 6 and [this act] are passed and approved, then [the introductory paragraph of section 1(1)] of  
27 House Bill No. 6 must read:

28 "(1) For the biennium beginning July 1, 2021, there is ~~appropriated to the office of budget and program~~

1 ~~planning and allocated to the department of natural resources and conservation from federal funds received~~  
 2 ~~pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending Title VI of the~~  
 3 ~~Social Security Act to include section 602), FROM FUNDS APPROPRIATED IN [SECTION 2] OF HOUSE BILL NO. 632, up~~  
 4 ~~to:".~~

5 (2) If both House Bill No. 6 and [this act] are passed and approved, then [section 1(2)] of House Bill No.  
 6 6 must read:

7 "(2) The amount of \$4,500,000 is ~~appropriated to the office of budget and program planning and~~  
 8 ~~allocated to the department of natural resources and conservation from federal funds received pursuant to the~~  
 9 ~~American Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending Title VI of the Social Security~~  
 10 ~~Act to include section 602), THE FUNDS APPROPRIATED IN [SECTION 2] OF HOUSE BILL NO. 632, for the biennium~~  
 11 beginning July 1, 2021. The funds referred to in this subsection must be awarded by the department to the  
 12 named entities for the described purposes and in the grant amounts listed in subsection (4), subject to the  
 13 conditions set forth in [sections 2 and 3] and the contingencies described in the renewable resource grant and  
 14 loan program January 2021 report to the 67th legislature titled: "Governor's Executive Budget Fiscal Years  
 15 2021-2023 Volume 6"."

17 COORDINATION SECTION. Section 37. Coordination instruction -- House Bill No. 7. If both House  
 18 Bill No. 7 and [this act] are passed and approved, then [section 1(2)] of House Bill No. 7 must read:

19 "(2) The amount of \$3,273,833 is ~~appropriated to the office of budget and program planning and~~  
 20 ~~allocated to the department of natural resources and conservation from the natural resources projects state~~  
 21 ~~special revenue account established in 15-38-302 and the amount of \$429,000 is appropriated to the office of~~  
 22 ~~budget and program planning and allocated to the department of natural resources and conservation from~~  
 23 ~~federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, section 9901~~  
 24 ~~(amending Title VI of the Social Security Act to include section 602), THE FUNDS APPROPRIATED IN [SECTION 2] OF~~  
 25 HOUSE BILL NO. 632 for grants to political subdivisions and local governments during the biennium beginning  
 26 July 1, 2021. The funds in this subsection must be awarded by the department to the named entities for the  
 27 described purposes and in the grant amounts set out in subsection (4) subject to the conditions set forth in  
 28 [sections 2 and 3] and the contingencies described in the reclamation and development grants program report

1 to the 67th legislature titled: "Governor's Executive Budget Fiscal Years 2021-2023 Volume 5".

2

3 COORDINATION SECTION. Section 38. Coordination instruction -- House Bill No. 11. (1) If both

4 House Bill No. 11 and [this act] are passed and approved, then [section 1(1)] of House Bill No. 11 must read:

5 "(1) There is ~~appropriated to the office of budget and program planning and~~ allocated to the department  
6 of commerce \$9,869,800 for the biennium beginning July 1, 2021, from ~~federal funds received pursuant to the~~  
7 ~~American Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending Title VI of the Social Security~~  
8 ~~Act to include section 602),~~ THE FUNDS APPROPRIATED IN [SECTION 2] OF HOUSE BILL NO. 632 to finance treasure  
9 state endowment program grants authorized by subsection (2)."

10 (2) If both House Bill No. 11 and [this act] are passed and approved, then [section 5] of House Bill No.  
11 11 must read:

12 "There is ~~appropriated~~ ALLOCATED \$100,000 from federal funds received pursuant to the American  
13 Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending Title VI of the Social Security Act to  
14 ~~include section 602), to the office of budget and program planning and allocated~~ FROM THE FUNDS APPROPRIATED  
15 IN [SECTION 2] OF HOUSE BILL NO. 632 to the department of commerce for the biennium beginning July 1, 2021,  
16 for the purpose of providing local governments, as defined in 90-6-701, with emergency grants for infrastructure  
17 projects, as defined in 90-6-701."

18 (3) If both House Bill No. 11 and [this act] are passed and approved, then [section 6] of House Bill No.  
19 11 must read:

20 "There is ~~appropriated~~ ALLOCATED \$900,000 from federal funds received pursuant to the American  
21 Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending Title VI of the Social Security Act to  
22 ~~include section 602), to the office of budget and program planning and allocated~~ FROM THE FUNDS APPROPRIATED  
23 IN [SECTION 2] OF HOUSE BILL NO. 632 to the department of commerce for the biennium beginning July 1, 2021,  
24 for the purpose of providing local governments, as defined in 90-6-701, with the infrastructure planning grants  
25 for infrastructure projects, as defined in 90-6-701."

26 (4) If both House Bill No. 11 and [this act] are passed and approved, then [section 7(1)] of House Bill  
27 No. 11 must read:

28 "There is ~~appropriated~~ ALLOCATED \$5,000,000 from the federal funds received pursuant to the American

1 ~~Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending Title VI of the Social Security Act to~~  
 2 ~~include section 602), to the office of budget and program planning and allocated~~ FROM THE FUNDS APPROPRIATED  
 3 IN [SECTION 2] OF HOUSE BILL NO. 632 to the department of natural resources and conservation for the biennium  
 4 beginning July 1, 2021, to finance the state’s share of regional water system projects authorized in subsection  
 5 (2) and as set forth in 90-6-715."

6  
 7 COORDINATION SECTION. Section 39. Coordination instruction -- House Bill No. 14. (1) If both  
 8 House Bill No. 14 and [this act] are passed and approved, then there is ~~appropriated from the federal funds~~  
 9 ~~received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending Title VI~~  
 10 ~~of the Social Security Act to include section 604), to the office of budget and program planning and allocated~~  
 11 FROM THE FUNDS APPROPRIATED IN [SECTION 7] to the department of administration:

- 12 ~~(a)~~ \$26,200,000 for the ~~MT Veterinarian Diagnostic & Ag Analytical Labs;~~
- 13 ~~(b)~~(a) \$6,500,000 for Liquor Warehouse Expansion; and
- 14 ~~(c)~~(b) \$4,800,000 for the UM-W Block Hall Renovation.

15 (2) (A) IF BOTH HOUSE BILL NO. 14 AND [THIS ACT] ARE PASSED AND APPROVED, THEN THERE IS ALLOCATED  
 16 \$26,200,000 FROM THE FUNDS APPROPRIATED IN [SECTION 20] TO THE DEPARTMENT OF ADMINISTRATION FOR THE MT  
 17 VETERINARIAN DIAGNOSTIC & AG ANALYTICAL LABS.

18 (B) IF IT DETERMINED THAT THE PROJECT IDENTIFIED IN (2)(A) IS INELIGIBLE FOR FUNDING FROM THE  
 19 APPROPRIATIONS IN [SECTION 20], THE ALLOCATION IN (2)(A) IS VOID AND THERE IS ALLOCATED \$26,200,000 FROM THE  
 20 FUNDS APPROPRIATED IN [SECTION 7] TO THE DEPARTMENT OF ADMINISTRATION FOR THE MT VETERINARIAN  
 21 DIAGNOSTIC & AG ANALYTICAL LABS.

22 ~~(2)~~(3) If both House Bill No. 14 and [this act] are passed and approved, then [section 5(1)] of House Bill  
 23 No. 14 must read:

24 "(1) There is ~~appropriated to the office of budget and program planning and~~ allocated to the department  
 25 of commerce \$13,707,898 for the biennium beginning July 1, 2021, ~~from federal funds received pursuant to the~~  
 26 ~~American Rescue Plan Act of 2021, Public Law 117-2, section 9901 (amending Title VI of the Social Security~~  
 27 ~~Act to include section 602),~~ FROM THE FUNDS APPROPRIATED IN [SECTION 2] OF HOUSE BILL NO. 632 to finance  
 28 treasure state endowment program grants authorized by subsection (2)."

## Amendment - Reference

67th Legislature

Drafter: Julie Johnson, 406-444-4024

HB 632.4.2

1           ~~(3)(4)~~ If both House Bill No. 14 and [this act] are passed and approved, then [section 9(1)] of House Bill  
2 No. 14 must read:

3           "(1) There is ~~appropriated from federal funds received pursuant to the American Rescue Plan Act of~~  
4 ~~2021, Public Law 117-2, section 9901 (amending Title VI of the Social Security Act to include section 602), to~~  
5 ~~the office of budget and program planning and allocated to the department of natural resources and~~  
6 ~~conservation~~ FROM THE FUNDS APPROPRIATED IN [SECTION 2] OF HOUSE BILL NO. 632 up to \$4,720,788 for grants  
7 to political subdivisions and local governments for the biennium beginning July 1, 2021. The funds referred to in  
8 this subsection must be awarded by the department to the named entities for the described purposes and in the  
9 grant amounts listed in subsection (3), subject to the conditions set forth in [sections 11 and 12] and the  
10 contingencies described in the renewable resource grant and loan program January 2021 report to the 67th  
11 legislature titled: "Governor's Executive Budget Fiscal Years 2021-2023 Volume 6"."

12  
13           ~~COORDINATION SECTION. Section 34. Coordination instruction -- House Bill No. 497.~~ If both  
14 House Bill No. 497 and [this act] are passed and approved, then [section 15 ~~16 17~~ of this act ] must be  
15 amended to read:

16           ~~"Section 15 16 17. Health advisory commission and human services budget committee --~~  
17 ~~recommendations.~~ (1) There is an American Rescue Plan health advisory commission.

18           ~~(2) The commission consists of nine members, who must be appointed as follows:~~

19           ~~(a) three senators, two from the majority party and one from the minority party, appointed by the senate~~  
20 ~~president;~~

21           ~~(b) three representatives, two from the majority party and one from the minority party, appointed by the~~  
22 ~~speaker of the house; and~~

23           ~~(c) three members appointed by the governor.~~

24           ~~(3) The commission shall recommend how funds allocated to the department of public health and~~  
25 ~~human services are to be used. The health and human services budget committee established pursuant to~~  
26 ~~House Bill No. 497 shall recommend how funds appropriated to the department of public health and human~~  
27 ~~services are to be used.~~

28           ~~(4)(2) Appointed members of the commission committee must be compensated and receive travel~~

## Amendment - Reference

1 expenses as provided for in 2-15-124 for each day in attendance at commissions committee meetings or in the  
2 performance of any duty or service as a commission committee member.

3 ~~(3) If both House Bill No. 497 and [this act] are passed and approved, all references to the health and  
4 human services commission must be replaced with references to the committee."~~

5

6 **NEW SECTION. Section 40. Coordination.** If Senate Bill No. 297 and [this act] are passed and  
7 approved, then [section 2(11) of Senate Bill No. 297] must read as follows:

8 "(11) "Underserved area" means an area where any of the delivery points have access to broadband  
9 service offered with a download speed range of less than 100 megabits per second and an upload speed of 20  
10 megabits per second or less with low latency."

11

12 **NEW SECTION. Section 41. COORDINATION -- SENATE BILL NO. 297.** IF BOTH SENATE BILL NO. 297 AND  
13 [THIS ACT] ARE PASSED AND APPROVED, THE APPROPRIATION IN [SECTION 9] SHALL BE USED FOR THE PURPOSES SET  
14 FORTH IN SENATE BILL NO. 297.

15

16 **NEW SECTION. Section 42. Coordination instruction.** If House Bill No. 630 and [this act] are  
17 passed and approved, then [section 1 of House Bill No. 630], regarding a maintenance of equity payment, is  
18 void.

19

20 **NEW SECTION. Section 43. Rulemaking authority.** Applicable agencies may adopt rules to  
21 implement the grant programs funded in [this act].

22

23 **NEW SECTION. Section 44. SEVERABILITY.** IF A PART OF [THIS ACT] IS INVALID, ALL VALID PARTS THAT  
24 ARE SEVERABLE FROM THE INVALID PART REMAIN IN EFFECT. IF A PART OF [THIS ACT] IS INVALID IN ONE OR MORE OF ITS  
25 APPLICATIONS, THE PART REMAINS IN EFFECT IN ALL VALID APPLICATIONS THAT ARE SEVERABLE FROM THE INVALID  
26 APPLICATIONS.

27

28 **NEW SECTION. Section 45. Effective date.** [This act] is effective on passage and approval.

**Amendment - Reference**

67th Legislature

Drafter: Julie Johnson, 406-444-4024

HB 632.4.2

1

- END -

DRAFT