

1 HOUSE BILL NO. 632
2 INTRODUCED BY F. GARNER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE AMERICAN RESCUE PLAN ACT;
5 PROVIDING APPROPRIATIONS OF FEDERAL FUNDS AND OTHER FUNDS AVAILABLE BECAUSE OF
6 THE RECEIPT OF FEDERAL FUNDS FOR THE FISCAL YEAR ENDING JUNE 30, 2021; ALLOWING
7 APPROPRIATIONS TO CONTINUE INTO THE 2023 BIENNIUM; PROVIDING CONDITIONS AND
8 RESTRICTIONS ON THE USE OF FUNDS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 (Refer to Introduced Bill)

13 Strike everything after the enacting clause and insert:

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15 **NEW SECTION. Section 1. Outreach team -- grant application and engineering assistance. (1)**

16 The department of commerce shall assemble an outreach team to notify local governments, with an emphasis
17 on rural local governments, of the funding opportunities provided for in this bill related to communications,
18 economic stabilization, and infrastructure projects.

19 (2) The outreach team shall also assist local governments in the application process and offer
20 engineering assistance.

21 (3) The department may hire modified FTE or contract to create the outreach team.

22 (4) Appropriation of administrative funds.
23

24 **NEW SECTION. Section 2. Communications advisory commission. (1)** There is an American

25 Rescue Plan communications advisory commission.

26 (2) The commission consists of 9 members, appointed as follows:

27 (a) three senators, two from the majority party and one from the minority party, appointed by the senate
28 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 grants for communications projects and provide recommendations to the executive on which projects should be funded.

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

NEW SECTION. Section 3. Appropriation and allocations -- matching funds. (1) ~~There is~~ allocated federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, to the governor for communications project grants.

Amount	ARPA Section
25,000,000	9901, 602
25,000,000	9901, 604

(2) ~~There is~~ appropriated funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, to the governor for communications project grants as follows 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:

Amount	ARPA Section
50,000,000	9901, 602
50,000,000	9901, 604

(3) ~~Communication~~ projects are those related to broadband, cell towers, or public safety.

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

(5) ~~For purposes of [sections x through x], "local government" means any tribe, city, town, county, consolidated city-county, or school district.~~

(6) References to "ARPA Section" means references to section 9901 of the American Rescue Plan Act

1 of 2021, Public Law 117-2, that amend Title VI the Social Security Act to include section 602 or section 604.

2

3 **NEW SECTION. Section 4. Eligibility -- submission deadline -- preference -- approval of**

4 **recommendations.** (1) Local governments and private entities shall submit grant requests and supporting
5 materials, including the amount of matching funds available, to the department of commerce by July 1, 2021, in
6 order to be eligible for funding under [section X]. The department will review grant applications, rank projects,
7 and issue a list of recommended projects to the advisory commission by August 15, 2021.

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

10 (3) In preparing recommendations, preference must be given to projects that provide broadband
11 access to underserved and high needs areas. Preference may also be given to projects that provide a higher
12 match rate.

13 (4) The recommendations of the advisory commission must be considered by the governor. The
14 governor may modify recommendations and shall provide the final list of approved projects to the legislative
15 finance committee by October 15th, 2021. If it is later determined that a project cannot be completed the
16 governor may authorize another project and provide a report to the legislative finance committee. If it is
17 determined that a project is identified not to be eligible based on federal guidance or regulation and, if
18 completed, would result in a reduction in funds from the American Rescue Plan Act or require the state to repay
19 or refund money to the federal government pursuant to the American Rescue Plan Act, the governor may
20 authorize another project and provide a report to the legislative finance committee.

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23 **NEW SECTION. Section 5. Economic stabilization commission.** (1) There is an American
24 Rescue Plan economic stabilization advisory commission.

25 (2) The commission consists of 9 members, appointed as follows:

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

28 (b) three representatives, two from the majority party and one from the minority party, appointed by

1 the speaker of the house; and

2 (c) ~~three~~ members, appointed by the governor.

3 (3) ~~The~~ commission shall review applications for funding for economic stabilizations projects and
4 provide a list of recommendations to the executive.

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

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9 **NEW SECTION. Section 6. Eligibility -- submission deadline -- preference -- approval of**

10 **recommendations.** (1) Local governments and businesses shall submit grant requests and supporting
11 materials, to the department of commerce by July 1, 2021, in order to be eligible for funding under [section X].
12 The department will review grant applications, rank grant applications, and issue a list of recommended grants
13 to the advisory commission by August 15, 2021.

14 (2) The advisory commission shall review the lists of recommended grants and other proposed uses
15 of the funds and issue a final list of recommended grants and uses of funds to the executive by September 1,
16 2021.

17 (3) The recommendations of the advisory commission must be considered by the governor. ~~The~~
18 governor may modify recommendations and shall provide the final list of approved grants and other uses of the
19 funds to the legislative finance committee by October 15th, 2021. ~~If~~ it is later determined that a grant cannot
20 be completed the governor may authorize another project and provide a report to the legislative finance
21 committee. ~~If~~ it is determined that a grant or use of funds is identified not to be eligible based on federal
22 guidance or regulation and, if completed, would result in a reduction in funds from the American Rescue Plan
23 Act or require the state to repay or refund money to the federal government pursuant to the American Rescue
24 Plan Act, the governor may authorize other grants or other uses of funds and provide a report to the legislative
25 finance committee.

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28 **NEW SECTION. Section 7. Appropriations for housing and workforce training programs.** (1)

1 There are appropriated federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law
2 117-2, to the department of commerce as follows for the fiscal year beginning July 1, 2020. Appropriation
3 authority is intended to be allocated to the following items. Appropriations are authorized to continue through
4 the biennium beginning July 1, 2023:

5 Amount	6 Program	7 ARPA Section
8 50,000,000	9 Mortgage Assistance	10 3206, 3208
11 11,000,000	12 Revolving Fund for Low-Income Housing	13 3205
14 152,400,000	15 Emergency Rental Assistance	16 3201, 3202, 3204
	17 Workforce	

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

20 (2) For Emergency Rental Assistance, funds may be used to pay rent or rental arrears to any place
21 where someone pays on a periodic basis for shelter including, but not limited to, nursing homes, senior assisted
22 living, group homes, low-income housing, workforce housing, transitional housing, and correctional facilities.

23 (3) The budget stabilization commission shall provide oversight to the department on the use of funds
24 in this section.

25 (4) The department of commerce is encouraged to use existing programs, where feasible, to
26 implement the programs provided for in this section.

27 **NEW SECTION. Section 8. Appropriations -- local economic development organizations --**
28 **revolving loan funds.** (1) There is appropriated to the department of commerce \$30 million in federal funds
received pursuant to section 3301 of the American Rescue Plan Act of 2021, Public Law 117-2, to provide
grants to local economic development organizations as defined in 17-6-302 to be used for the organization's
revolving loan fund. The appropriation is for the fiscal year beginning July 1, 2020 and is authorized to continue
through the biennium beginning July 1, 2023.

(2) ~~-(a)-~~ Each local economic development organization shall receive a grant equal to the proportion of
total amount of funds loaned by that local economic development organization during the last ten years over the

1 total amount of funds loaned by all local economic development organizations over the last ten years.

2 (b) ~~—~~ The amount of a grant to a local economic development organization may not exceed \$3 million.

3 (c) ~~—~~ Any remaining funds shall be granted in an equal amount to organization that have received less
4 than \$3 million under this section.

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6 **NEW SECTION. Section 9. Appropriation -- grants -- Montana manufacturing extension center.**

7 (1) There is appropriated to the department of commerce \$10 million in federal funds received pursuant to
8 section 3301 of the American Rescue Plan Act of 2021, Public Law 117-2. The appropriation is for the fiscal
9 year beginning July 1, 2020 and is authorized to continue through the biennium beginning July 1, 2023.

10 (2) The funds are to be awarded as grant to the local economic development organization as defined
11 in 17-6-302 designated by the Montana manufacturing extension center to administer the loan to a project
12 chosen by the center.

13 (3) The purpose of the funds are to provide loans to businesses to assist them in transformation,
14 automation, or modernization.

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16 **NEW SECTION. Section 10. Appropriation to department of commerce -- State Small Business**

17 **Credit Initiative.** (1) There is appropriated to the department of commerce \$20 million in federal funds [3301]
18 for the State Small Business Credit Initiative. The appropriation is for the fiscal year beginning July 1, 2020 and
19 is authorized to continue through the biennium beginning July 1, 2023.

20 (2) ~~—~~ A grant made by the department under this section may not exceed \$3 million per project.

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22 **NEW SECTION. Section 11. Appropriations to the department of labor and industry.** 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
26 following items.

27	Amount	Purpose	ARPA Section
28	5,500,000	Workforce	2206

Amendment - 1st Reading - Requested by: Frank Garner

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5,200,000 Unemployment Administration 9031, 9032
(2) References to "ARPA Section" means references to sections of the American Rescue Plan Act of 2021, Public Law 117-2.

NEW SECTION. Section 12. Appropriations to the department of transportation. There are federal funds received pursuant to the American Rescue Plan Act of 2021, Public Law 117-2, appropriated to the department of transportation for the fiscal year beginning July 1, 2020 and is authorized to continue through the biennium beginning July 1, 2023. Appropriation authority is intended to be allocated to the following items.

Amount	Purpose	ARPA Section
600,000	Grants to Airports	7102
800,000	Grants for Rural Transit	3401

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

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