

HOUSE BILL NO. 345

INTRODUCED BY SPAETH, SCHULTZ, KITSELMAN

BY REQUEST OF THE DEPARTMENT OF COMMERCE

IN THE HOUSE

January 22, 1985	Introduced and referred to Committee on State Administration.
February 4, 1985	Committee recommend bill do pass as amended. Report adopted.  Statement of Intent attached.
February 5, 1985	Bill printed and placed on members' desks.
February 6, 1985	Second reading, do pass.  Considered correctly engrossed.
February 7, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

February 8, 1985	Introduced and referred to Committee on Local Government.
March 13, 1985	Committee recommend bill be concurred in. Report adopted.
March 15, 1985	Second reading, concurred in.
March 18, 1985	Third reading, concurred in. Ayes, 49; Noes, 0.  Returned to House.

IN THE HOUSE

March 19, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

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 2 INTRODUCED BY Smith Schultz Kibelman  
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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE  
 6 DEPARTMENT OF COMMERCE TO ADMINISTER THE FEDERAL COMMUNITY  
 7 DEVELOPMENT BLOCK GRANT PROGRAM AND TO ADOPT RULES TO  
 8 IMPLEMENT THE PROGRAM; AMENDING SECTION 90-1-103, MCA."  
 9

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

11 Section 1. Section 90-1-103, MCA, is amended to read:

12 "90-1-103. Functions of department of commerce --  
 13 community development. The department of commerce shall:

14 (1) cooperate with and provide technical assistance to  
 15 county, municipal, state, and regional planning commissions,  
 16 zoning commissions, parks or recreation boards, community  
 17 development groups, community action agencies, and similar  
 18 agencies created for the purposes of aiding and encouraging  
 19 orderly, productive, and coordinated development of the  
 20 communities of the state;

21 (2) assist the governor in coordinating the activities  
 22 of state agencies which have an impact on solution of  
 23 community development problems and implementation of  
 24 community plans;

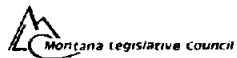
25 (3) serve as a clearinghouse for information, data,

1 and other materials which may be helpful or necessary to  
 2 local governments to discharge their responsibilities and  
 3 provide information on available federal and state financial  
 4 and technical assistance;

5 (4) carry out continuing studies and analyses of the  
 6 problems faced by communities within the state and develop  
 7 those recommendations for administrative or legislative  
 8 action as appear necessary. In carrying out the studies and  
 9 analyses, the department shall pay particular attention to  
 10 the problems of metropolitan, suburban, and other areas in  
 11 which economic and population factors are rapidly changing.

12 (5) administer the federal community development block  
 13 grant program and adopt rules to implement the program."

-End-



APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

1 STATEMENT OF INTENT

2 HOUSE BILL 345

3 House State Administration Committee

4  
5 A statement of intent is required for this bill because  
6 it authorizes the department of commerce to adopt  
7 administrative rules necessary to administer the federal  
8 community development block grant (CDBG) program.

9 The purpose of this bill is to formalize within the  
10 context of the Montana Administrative Procedure Act the  
11 department's promulgation of policies, guidelines, ranking  
12 criteria, and requirements governing the CDBG program which  
13 the department has administered since it was authorized to  
14 do so by the November 1981 special session of the  
15 legislature. It is not the intention of this bill, however,  
16 to add unnecessarily to the cost or complexity of  
17 administering the program.

18 Currently the department's requirements for the program  
19 are contained in the publications described below:

20 1. The Montana Community Development Block Grant  
21 Program Application Guidelines describe the policies  
22 governing the program, the threshold requirements for CDBG  
23 applicants, and the procedure and criteria for evaluating  
24 applications.

25 2. The Montana Community Development Block Grant

1 Program -- Grant Administration Manual describes the  
2 administrative procedures for local project start up,  
3 environmental review of project activities, procurement of  
4 goods and services, financial management, protection of  
5 civil rights, assuring fair wages for labor, and acquisition  
6 of property and relocation of persons displaced thereby. It  
7 also discusses special administrative considerations  
8 peculiar to public facilities, housing rehabilitation, and  
9 economic development projects.

10 3. The Montana Community Development Block Grant  
11 Program -- Requirements Notebook is a compilation of the  
12 federal and state statutes, regulations, and other standards  
13 which govern the CDBG program but which have been  
14 promulgated by agencies other than the department.

15 Because the conversion of these three lengthy  
16 publications to a rule format and their inclusion in the  
17 Montana Administrative Register or the Administrative Rules  
18 of Montana would be unduly cumbersome, expensive, and  
19 inexpedient, the legislature contemplates that the rules  
20 promulgated pursuant to this bill would be adopted by  
21 reference to the publications themselves as is authorized by  
22 section 2-4-307, MCA.

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15       NEW SECTION. SECTION 2. EFFECTIVE DATE. THIS ACT IS  
 16   EFFECTIVE ON PASSAGE AND APPROVAL.

-End-



STATEMENT OF INTENT

HOUSE BILL 345

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A statement of intent is required for this bill because it authorizes the department of commerce to adopt administrative rules necessary to administer the federal community development block grant (CDBG) program.

The purpose of this bill is to formalize within the context of the Montana Administrative Procedure Act the department's promulgation of policies, guidelines, ranking criteria, and requirements governing the CDBG program which the department has administered since it was authorized to do so by the November 1981 special session of the legislature. It is not the intention of this bill, however, to add unnecessarily to the cost or complexity of administering the program.

Currently the department's requirements for the program are contained in the publications described below:

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Program -- Grant Administration Manual describes the administrative procedures for local project start up, environmental review of project activities, procurement of goods and services, financial management, protection of civil rights, assuring fair wages for labor, and acquisition of property and relocation of persons displaced thereby. It also discusses special administrative considerations peculiar to public facilities, housing rehabilitation, and economic development projects.

3. The Montana Community Development Block Grant Program -- Requirements Notebook is a compilation of the federal and state statutes, regulations, and other standards which govern the CDBG program but which have been promulgated by agencies other than the department.

Because the conversion of these three lengthy publications to a rule format and their inclusion in the Montana Administrative Register or the Administrative Rules of Montana would be unduly cumbersome, expensive, and inexpedient, the legislature contemplates that the rules promulgated pursuant to this bill would be adopted by reference to the publications themselves as is authorized by section 2-4-307, MCA.

THIRD READING

HB 345



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