


OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING
STATE OF MONTANA



GREG GIANFORTE
GOVERNOR

PO BOX 200802
HELENA, MONTANA 59620-0802

Date: September 1, 2022
To: Legislative Assembly
From: Ryan Osmundson, Budget Director 
Office of Budget and Program Planning
Subject: Federal mandates as required by 2-1-407, MCA.

Statute requires state programs meet the requirements of federal statutes in good faith and with a critical view toward any federal regulations, guidelines, or policies, with due consideration of the financial restraints of local governments, the citizens of Montana, and the state, including the limitation imposed by Article III, Section 9 of the Montana Constitution.

The federal Congressional Budget Office has identified the following federal laws enacted by Congress in the 115th and 116th Congressional Sessions that impose significant costs upon state and local governments for implementation by the state. After consultation with the agencies responsible for implementing these laws, the Governor's Office has no recommendations for the adoption of Montana-specific statutes to achieve the objectives of the federal statutes in a more cost-effective or less burdensome manner.

FEDERAL MANDATES ADMINISTERED BY YOUR AGENCY

Agency Name	Agency #	Public Law #	Title	Description of Mandate
Fish Wildlife & Parks	52010	116-8	Pesticide Registration Improvement Extension Act of 2018	Extends fees state and local governments must pay to reregister the use of pesticides through 2023.
Fish Wildlife & Parks	52010	115-282	Frank LoBiondo Coast Guard Authorization Act of 2019	Preempts state and local laws by establishing exclusive federal regulation of ballast water and other discharges of vessels through a national uniform standard and set of best management practices.
Department of Environmental Quality	53010	115-270	Americans Water Infrastructure Act of 2018	<p>Expands the number of small public water systems (those serving fewer than 10,000 people) that must monitor drinking water for unregulated contaminants.</p> <p>Requires all public water systems to include information in consumer confidence reports about actions taken to control corrosion in pipes.</p> <p>Requires public water systems that serve populations larger than 3,300 to conduct assessments of the risks posed to their systems, prepare emergency response plans, and certify to EPA that they have done so.</p>
Department of Natural Resources & Conservation	57060	115-270	Americans Water Infrastructure Act of 2018	Increases the cost of an existing mandate on hydropower licenses to pay fees if FERC increases annual fee collections to cover its administrative costs.
Department of Health & Human Services	69010	Public Law # 115-334 section 4001 - 4011	Agriculture Improvement Act of 2018	The law contains various provisions that affect SNAP eligibility, benefits, and program administration, including changes mandated by the law and those that provide additional flexibility for State agencies. This includes outlining requirements for online acceptance of benefits, improvements to electronic benefit transfer system, review of SNAP, retail incentives, and incentivizing technology modernization.