



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:	
HB0141 - Revise Blackfeet mitigation fund laws (Jones, Llew)	
Status:	As Introduced

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Revenue:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: HB 141 would provide the Department of Natural Resources and Conservation (DNRC) with the statutory appropriation needed to disburse all funds in the Blackfeet Tribal water rights compact mitigation account, not just the interest and other income earned on the account.

FISCAL ANALYSIS

Assumptions:

- The \$2 million of expenses per year are an estimate of the actual spending from the Blackfeet Tribe. Per the compact, expenditures must enhance water availability or otherwise mitigate the economic and hydrologic impacts on water rights holders under state law. Included under this state law are water rights holders from Birch Creek, Badger Creek, Cut Bank Creek, the Two Medicine River, and a portion of the Milk River within the exterior boundaries of the Blackfeet Indian reservation.
- The fund currently has more than \$14 million to meet the requirements of Section 85-20-1504(e), MCA.

3. DNRC does not currently have any appropriation for the account to make disbursements.
4. The bill allows for all funds in the account to be statutorily appropriated, not just the interest and the income from the escrow account.
5. 17-1-508, MCA, requires analysis of the statutory appropriation relative to the guidance in 17-1-508(3), MCA, to be published in the fiscal note. In reviewing and establishing statutory appropriations, the legislature shall consider the following guidelines

YES **NO**

a. The money is from a continuing, reliable, and estimable source.	x	
b. The use of the appropriation or the expenditure occurrence is predictable and reliable.		x
c. The authority exists elsewhere.		x
d. An alternative appropriation method is available, practical, or effective.		x
e. It appropriates state general fund money for purposes other than paying for emergency services.		x
f. The money is used for general purposes.		x
g. The legislature wishes to review expenditure and appropriation levels each biennium.	x	
h. An expenditure cap and sunset date are excluded.	x	

	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL Expenditures	<u>\$2,000,000</u>	<u>\$2,000,000</u>	<u>\$2,000,000</u>	<u>\$2,000,000</u>
<u>Funding of Expenditures:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL Funding of Exp.	<u>\$2,000,000</u>	<u>\$2,000,000</u>	<u>\$2,000,000</u>	<u>\$2,000,000</u>
<u>Revenues:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$0	\$0	\$0	\$0
TOTAL Revenues	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)	(\$2,000,000)

 1-5-23
 Sponsor's Initials Date

 1-2-23
 Budget Director's Initials Date