

1 H BILL NO. 155
 2 INTRODUCED BY Quarrell
 3 BY REQUEST OF

4 THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS
 6 84-7409 THROUGH 84-7412, R.C.M. 1947, TO PROVIDE THAT THE
 7 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION MAY APPROVE
 8 LOANS AS WELL AS GRANTS UNDER THE ALTERNATIVE RENEWABLE
 9 ENERGY SOURCES PROGRAM; AND TO CLARIFY THE AVAILABILITY OF
 10 INFORMATION RESULTING FROM THE PROGRAM."
 11

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

13 Section 1. Section 84-7409, R.C.M. 1947, is amended to
 14 read as follows:

15 "84-7409. Alternative energy research development and
 16 demonstration account established. There is within the
 17 earmarked revenue fund an alternative energy research
 18 development and demonstration account. Moneys are paid into
 19 this account under section 84-1309.1, and in addition any
 20 principal and interest received in repayment of the loans
 21 provided for in 84-7410 shall be deposited in this account.
 22 The state treasurer shall draw warrants payable from this
 23 account upon order of the department."
 24

25 Section 2. Section 84-7410, R.C.M. 1947, is amended to

1 read as follows:
 2 "84-7410. Department -- general powers. The department
 3 may:

- 4 (1) employ a staff adequate to administer this act;
- 5 (2) retain professional consultants and advisors;
- 6 (3) adopt rules governing applications and granting of
 7 funds and approval of loans;
- 8 (4) consider applications for grants and loans and
 9 award grants and approve loans, subject to the availability
 10 of funds, and to the appropriation of such funds by the
 11 legislature from the alternative energy research
 12 development and demonstration funds for projects that will
 13 further the purposes of this act;
- 14 (5) appoint an alternative energy advisory committee
 15 council composed of representatives of state agencies and
 16 citizen members with expertise in alternative energy
 17 matters. The appointment of any such advisory committee
 18 council shall be in keeping with section 82A-110."

19 Section 3. Section 84-7411, R.C.M. 1947, is amended to
 20 read as follows:

21 "84-7411. Applications for grants and loans. Any
 22 person may apply for a grant or loan to enable him to
 23 research, develop or demonstrate alternative renewable
 24 energy sources. The department shall prescribe the form for
 25 applications. Applicants shall describe the nature of their

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1 proposed investigations, including practical applications of
2 the possible results and time requirements."

3 Section 4. Section 84-7412, R.C.M. 1947, is amended to
4 read as follows:

5 "84-7412. Criteria for grant awards and loans. The
6 department may award grants or approve loans to applicants
7 under section 84-7411 in accordance with the following
8 criteria:

9 (1) A grant or loan may cover a period not exceeding
10 ~~one--(1)~~ year, and the department may not commit itself to
11 spending or loaning funds anticipated to be available more
12 than ~~one--(1)~~ year after the grant or loan period begins.
13 The department may give an applicant a statement of intent
14 to renew its support of his work, subject to the
15 availability of funds and such other conditions as the
16 department may express.

17 (2) The department may give preference to projects
18 which are also supported by grants from the federal
19 government or other persons provided the grants are
20 consistent with the other objectives of the department. The
21 purpose of this preference is to use the alternative energy
22 research development and demonstration account for matching
23 moneys in order to support more substantial research.

24 (3) The department may give preference to research
25 centers unattached to existing educational institutions

1 where several investigators can share supporting services.
2 However, this shall not be interpreted to prohibit the
3 department from awarding grants or approving loans to
4 existing educational institutions.

5 (4) The department may give preference to research
6 centers which make information available to individuals,
7 small businesses, and small communities seeking the use of
8 renewable energy sources in their homes, plants, places of
9 business, and small communities.

10 (5) All information resulting from ~~such research,~~
11 development, or demonstration projects funded under this act
12 shall be made available to the public and shall not become
13 the private property of or under the exclusive control of
14 any one ~~tt~~ company or person. However, the department may
15 as a condition of approval of a grant or loan or by
16 agreement with the applicant establish criteria under which
17 the applicant may patent or copyright any device, idea, or
18 product researched, developed, or demonstrated with funds
19 provided under this act and criteria on the disposition of
20 all rights or royalties under any patent or copyright.

21 (6) The department is under no requirement to expend
22 or commit available alternative energy research, development
23 and demonstration funds when in its judgment such
24 expenditures or commitments would be unproductive."

-End-

STATE OF MONTANA

REQUEST NO. 429-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 10, 19 77, there is hereby submitted a Fiscal Note for House Bill 155 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 155 provides that the Department of Natural Resources and Conservation may approve loans as well as grants under the alternative renewable energy sources program.

FISCAL IMPACT:

None. House Bill 155 would probably generate an increase in activity in the Renewable Resources Program; however, additional administrative costs could be absorbed within the present budget structure.

Richard L. Dreyfus
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-16-77

Approved by Committee on Natural Resources

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15 council composed of representatives of state agencies and
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13 The department may give an applicant a statement of intent
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17 (2) The department may give preference to projects
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13 the private property of or under the exclusive control of
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