

## HOUSE BILL NO. 708

INTRODUCED BY GRISCOLL, BENGTSON

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY TO THE DEPARTMENT OF ~~ADMINISTRATION~~ NATURAL RESOURCES AND CONSERVATION FROM THE RENEWABLE RESOURCE DEVELOPMENT CLEARANCE FUND ACCOUNT FOR VARIOUS PROJECTS UNDER THE RENEWABLE RESOURCE DEVELOPMENT PROGRAM, AND SPECIFYING CERTAIN CONDITIONS UPON THE APPROPRIATIONS."

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

Section 1. Appropriation. The following money is appropriated to the department of ~~administration~~ NATURAL RESOURCES AND CONSERVATION from the renewable resource development clearance fund account for the following projects under the renewable resource development program:

(1) (a) a grant for the Boulder River reservoir project: \$250,000 for the fiscal year ending June 30, 1978, and \$250,000 for the fiscal year ending June 30, 1979;

(b) this appropriation is contingent upon the ~~execution of a contract between the North Boulder drainage district and the department of fish and game~~ APPROPRIATE ARRANGEMENTS BEING MADE for the maintenance of the proposed recreational facilities;

~~(2) (a) a grant for the Castle Creek Dam project;~~

~~\$90,000 for the fiscal year ending June 30, 1978;~~

~~(b) (i) this appropriation is contingent upon the execution of a contract between the project applicants and the department of fish and game for maintenance of the proposed recreational facilities;~~

~~(ii) this appropriation is contingent upon no land acquired for the site of the dam and recreational facilities being sold for subdivision purposes;~~

~~(iii) no grant funds may be disbursed until the completion of the land acquisition as contained in the project application;~~

~~(3) (2) a grant for the west bench irrigation project: \$90,000 for the fiscal year ending June 30, 1978;~~

~~(4) (3) (a) a grant for the solid waste management project: \$200,000 for the fiscal year ending June 30, 1978, and \$180,000 for the fiscal year ending June 30, 1979;~~

~~(b) a loan for the solid waste management project: \$2 million; --THIS LOAN IS AUTHORIZED NOTWITHSTANDING THE PROVISIONS OF 89-3603(4) AND 89-3605(4);~~

(c) (i) this appropriation is contingent upon no funds so appropriated being used for state administrative procedures;

(ii) this appropriation is contingent upon the development of administrative criteria for the project program by the appropriate state agencies;

REFERENCE BILL

1 (iii) if money appropriated for a grant is spent for  
 2 planning purposes and the planned project is constructed,  
 3 the money used for such planning shall be repaid to the fund  
 4 from which appropriated; and if the planned project is not  
 5 constructed the grant money need not be repaid;

6 (5) (a) a grant for the triangle saline seep project  
 7 \$130,000 for the fiscal year ending June 30, 1978, and  
 8 \$90,000 for the fiscal year ending June 30, 1979;

9 (b) (i) this appropriation is contingent upon the  
 10 execution of a contract between the triangle area  
 11 conservation district and the department of natural  
 12 resources and conservation which will enable the department  
 13 of natural resources and conservation to make the final  
 14 determination of project priorities;

15 (ii) this appropriation is contingent upon the  
 16 establishment of necessary administrative criteria by the  
 17 department of natural resources and conservation to  
 18 implement the project program;

19 (6) (a) a grant for the fish and game stream  
 20 preservation projects \$50,000 for the fiscal year ending  
 21 June 30, 1978, and \$50,000 for the fiscal year ending June  
 22 30, 1979;

23 (b) (i) this appropriation is contingent upon timely  
 24 notice being given to the department of natural resources  
 25 and conservation of proposed subprojects in order to provide

1 for review;

2 (ii) this appropriation is contingent upon the  
 3 establishment by the department of fish and game with the  
 4 approval of the department of administration of necessary  
 5 administrative criteria including a determination that a  
 6 proposed subproject will benefit the stream system area  
 7 rather than one isolated area controlled by an individual  
 8 landowner;

9 (7) (A) A GRANT FOR THE NEVADA CREEK DAM REPAIR  
 10 PROJECT: \$50,000 FOR THE FISCAL YEAR ENDING JUNE 30, 1978;

11 (B) THIS APPROPRIATION IS CONTINGENT UPON THE NEVADA  
 12 CREEK WATER USERS' ASSOCIATION SECURING OTHER FUNDS TO  
 13 COMPLETE THE PROJECT.

14 (7) (a) a grant for the Nevada Creek Dam repair  
 15 projects \$17,000 for the fiscal year ending June 30, 1978;

16 (b) this appropriation is contingent upon the Nevada  
 17 Creek water users' association securing other funds to  
 18 complete the projects

19 SECTION 2. WATER RIGHTS STUDY. THERE IS APPROPRIATED  
 20 \$20,000 IN FISCAL 1978 AND \$40,000 IN FISCAL 1979 FROM THE  
 21 RENEWABLE RESOURCE DEVELOPMENT CLEARANCE ACCOUNT TO FUND THE  
 22 PROVISIONS OF HOUSE JOINT RESOLUTION 81.

23 SECTION 3. CONDITION OF GRANTS AND LOANS.  
 24 DISBURSEMENT OF FUNDS UNDER THIS ACT SHALL BE MADE ONLY  
 25 AFTER (1) THE PROJECTS HAVE BEEN AUTHORIZED BY OTHER

1 ~~FINANCIAL SPONSORS, IF ANY; (2) INITIAL FUNDING FROM OTHER~~  
2 ~~SOURCES, IF ANY, HAS BEEN COMMITTED FOR CONSTRUCTION, AND;~~  
3 ~~(3) AN AGREEMENT BETWEEN THE DEPARTMENT OF NATURAL RESOURCES~~  
4 ~~AND CONSERVATION AND THE APPLICANT HAS BEEN EXECUTED~~  
5 ~~GOVERNING THE ADMINISTRATION AND DISPOSAL OF FUNDS.~~

6 Section 4. Failure of contingency provisions. If a  
7 contingency provision provided for in section 1 fails to  
8 occur, the funds appropriated for the associated project  
9 revert to the renewable resource development clearance fund  
10 account.

-End-

SECOND READING

MISSING

## HOUSE BILL NO. 708

INTRODUCED BY DRISCOLL, BENGTSON

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY TO THE DEPARTMENT OF ~~ADMINISTRATION~~ NATURAL RESOURCES AND CONSERVATION FROM THE RENEWABLE RESOURCE DEVELOPMENT CLEARANCE FUND ACCOUNT FOR VARIOUS PROJECTS UNDER THE RENEWABLE RESOURCE DEVELOPMENT PROGRAM, AND SPECIFYING CERTAIN CONDITIONS UPON THE APPROPRIATIONS."

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Section 1. Appropriation. The following money is appropriated to the department of ~~administration~~ NATURAL RESOURCES AND CONSERVATION from the renewable resource development clearance fund account for the following projects under the renewable resource development program:

(1) (a) a grant for the Boulder River reservoir project: \$250,000 for the fiscal year ending June 30, 1978, and \$250,000 for the fiscal year ending June 30, 1979;

(b) ~~this appropriation is contingent upon the execution of a contract between the North Boulder drainage district and the department of fish and game~~ APPROPRIATE ARRANGEMENTS BEING MADE for the maintenance of the proposed recreational facilities;

~~(2) (a) a grant for the Castle Creek Dam project;~~

~~\$80,000 for the fiscal year ending June 30, 1978;~~

~~(b) (i) this appropriation is contingent upon the execution of a contract between the project applicants and the department of fish and game for maintenance of the proposed recreational facilities;~~

~~(ii) this appropriation is contingent upon no land acquired for the site of the dam and recreational facilities being sold for subdivision purposes;~~

~~(iii) no grant funds may be disbursed until the completion of the land acquisition as contained in the project application;~~

~~(3)(2)~~ a grant for the west bench irrigation project: \$90,000 for the fiscal year ending June 30, 1978;

~~(4)(3)~~ (a) a grant for the solid waste management project: \$200,000 for the fiscal year ending June 30, 1978, and \$100,000 for the fiscal year ending June 30, 1979;

(b) a loan for the solid waste management project: \$2 million; THIS LOAN IS AUTHORIZED NOTWITHSTANDING THE PROVISIONS OF 89-3603(4) AND 89-3605(4);

(c) (i) this appropriation is contingent upon no funds so appropriated being used for state administrative procedures;

(ii) this appropriation is contingent upon the development of administrative criteria for the project program by the appropriate state agencies;

1 (iii) if money appropriated for a grant is spent for  
 2 planning purposes and the planned project is constructed,  
 3 the money used for such planning shall be repaid to the fund  
 4 from which appropriated; and if the planned project is not  
 5 constructed the grant money need not be repaid;

6 ~~(5) (a) a grant for the triangle saline seep project~~  
 7 ~~\$130,000 for the fiscal year ending June 30, 1978, and~~  
 8 ~~\$90,000 for the fiscal year ending June 30, 1979;~~

9 ~~(b) (i) this appropriation is contingent upon the~~  
 10 ~~execution of a contract between the triangle area~~  
 11 ~~conservation district and the department of natural~~  
 12 ~~resources and conservation which will enable the department~~  
 13 ~~of natural resources and conservation to make the final~~  
 14 ~~determination of project priorities;~~

15 ~~(ii) this appropriation is contingent upon the~~  
 16 ~~establishment of necessary administrative criteria by the~~  
 17 ~~department of natural resources and conservation to~~  
 18 ~~implement the project program;~~

19 ~~(6) (a) a grant for the fish and game stream~~  
 20 ~~preservation project \$50,000 for the fiscal year ending~~  
 21 ~~June 30, 1978, and \$50,000 for the fiscal year ending June~~  
 22 ~~30, 1979;~~

23 ~~(b) (i) this appropriation is contingent upon timely~~  
 24 ~~notice being given to the department of natural resources~~  
 25 ~~and conservation of proposed subprojects in order to provide~~

1 for review;

2 ~~(ii) this appropriation is contingent upon the~~  
 3 ~~establishment by the department of fish and game with the~~  
 4 ~~approval of the department of administration of necessary~~  
 5 ~~administrative criteria, including a determination that a~~  
 6 ~~proposed subproject will benefit the stream system area~~  
 7 ~~rather than one isolated area controlled by an individual~~  
 8 ~~landowner;~~

9 ~~(7) (a) a grant for the Nevada Creek Dam repair~~  
 10 ~~project \$17,000 for the fiscal year ending June 30, 1978;~~

11 ~~(b) this appropriation is contingent upon the Nevada~~  
 12 ~~Creek water users' association securing other funds to~~  
 13 ~~complete the project;~~

14 SECTION 2. WATER RIGHTS STUDY. THERE IS APPROPRIATED  
 15 \$20,000 IN FISCAL 1978 AND \$40,000 IN FISCAL 1979 FROM THE  
 16 RENEWABLE RESOURCE DEVELOPMENT CLEARANCE ACCOUNT TO FUND THE  
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 21 FINANCIAL SPONSORS, IF ANY; (2) INITIAL FUNDING FROM OTHER  
 22 SOURCES, IF ANY, HAS BEEN COMMITTED FOR CONSTRUCTION, AND;  
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 24 AND CONSERVATION AND THE APPLICANT HAS BEEN EXECUTED  
 25 GOVERNING THE ADMINISTRATION AND DISPOSAL OF FUNDS.

1       Section 4. Failure of contingency provisions. If a  
2 contingency provision provided for in section 1 fails to  
3 occur, the funds appropriated for the associated project  
4 revert to the renewable resource development clearance fund  
5 account.

-End-

April 19, 1977

STANDING COMMITTEE REPORT  
Senate Committee on Finance and Claims

That House Bill No. 708 be amended as follows:

1. Amend page 2, section 1, lines 14 through 19.

Following: line 13

Strike: lines 14 through 19 in their entirety



April 19, 1977

SENATE  
COMMITTEE OF THE WHOLE

That House Bill No. 708 be amended as follows:

1. Amend Senate Standing Committee Amendment No. 1, dated April 19, 1977.  
Strike: amendment no. 1 in its entirety

2. Amend page 4, section 1, line 9.

Following: line 8

Insert: "(7) (a) a grant for the Nevada Creek Dam repair project:  
\$50,000 for the fiscal year ending June 30, 1978;

(b) this appropriation is contingent upon the  
Nevada Creek water users' association securing other funds to  
complete the project."