HOUSE BILL NO. 398

INTRODUCED BY QUILICI, DAILY, MENAHAN, FABREGA

IN THE HOUSE

January 21, 1981	Introduced and referred to Committee on Natural Resources.
February 3, 1981	Committee recommend bill do pass as amended. Report adopted.
February 4, 1981	Bill printed and placed on members' desks.
February 6, 1981	Second reading, do pass.
February 7, 1981	Correctly engrossed.
February 9, 1981	Third reading, passed. Transmitted to Senate.
IN THE SENATE	
February 10, 1981	Introduced and referred to Committee on Natural Resources.
March 21, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 24, 1981	Motion pass consideration.
March 25, 1981	Second reading, concurred in.
March 27, 1981	Third reading, concurred in as amended. Ayes, 50; Noes, 0.

IN THE HOUSE

March 28, 1981

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Returned from Senate with amendments.

April 8, 1981

April 9, 1981

Second reading, amendments concurred in.

Third reading, amendments concurred in. Ayes, 96; Noes, 0. Sent to enrolling.

Reported correctly enrolled.

LC 0060/01

BILL NO. _398 1 INTRODUCED BY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE 4 5 ALTERNATIVE ENERGY GRANT PROGRAM: AMENDING SECTIONS 90+4-106 AND 90-4-107, MCA." 6 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 90-4-106; MCA; is amended to read:
10 P90-4-106. Criteria for grant awards. The department
11 may award grants to applicants under 90-4-105 in accordance
12 with the following criteria:

(1) A grant may cover a period not exceeding 1 year, and the department may not commit itself to spending funds anticipated to be available more than 1 year after the grant period begins. The department may give an applicant a statement of intent to renew its support of his work, subject to the availability of funds and such other conditions as the department may express.

(2) The department may give preference to projects
which are also supported by grants from the federal
government or other persons provided the grants are
consistent with the other objectives of the department. The
purpose of this preference is to use the alternative energy
research development and demonstration account for matching

1 moneys in order to support more substantial research.

2 (3) The department may give preference to research
3 centers unattached to existing educational institutions
4 where several investigators can share supporting services.
5 However, this shall not be interpreted to prohibit the
6 department from awarding grants to existing educational
7 institutions.

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

13 (5) All information resulting from such research shall
14 be made available to the public and shall not become the
15 private property of or under the exclusive control of any
16 one company or person.

17 (6) The department is-under-no-requirement-to may 18 expend or commit available alternative energy research, 19 development, and demonstration funds <u>only</u> when in its 20 judgment such expenditures or commitments would-be 21 unproductive have very good potential for producing 22 significant savings of nonrenewable energy sources."

Section 2. Section 90-4-107, MCA, is amended to read:
 "90-4-107. Biennial report. The department shall
 <u>monitor the grants awarded and shall report its expenditures</u>

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and other activities information_concerning__the
 implementation_and_effectiveness_of_specific_projects_or
 programs_for_which_grants_were_awarded under this part to
 the legislature at the beginning of each regular legislative
 session.*

NEW_SECIION. Section 3. Oversight 6 function of 7 environmental quality council. The environmental quality 8 council provided for in 5-16-101 shall oversee the 9 administration of the alternative energy grant program and 10 shall make such recommendations as it considers necessary to 11 assure the greatest possible benefit of the program to the 12 people of the state as a whole. Such recommendations may 13 include proposals for legislation.

-End-

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Approved by Committee on <u>Natural Resources</u>

L	HOUSE BILL ND. 398
2	INTRODUCED BY QUILICI, DAILY, MENAHAN, FABREGA
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
5	ALTERNATIVE ENERGY GRANT PROGRAM; AMENDING SECTIONS 90-4-106
6	AND 90-4-107, MCA."
7	
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MUNTANA:
9	Section 1. Section 90-4-106, MCA, is amended to read:
10	"90-4-106. Criteria for grant awards. The department
11	may award grants to applicants under 90-4-105 in accordance
12	with the following criteria:
13	 A grant may cover a period not exceeding 1 year,
14	and the department may not commit itself to spending funds
15	anticipated to be available more than 1 year after the grant
16	period begins. The department may give an applicant a
17	statement of intent to renew its support of his work,

18 subject to the availability of funds and such other 19 conditions as the department may express.

20 (2) The department may give preference to projects 21 which are also supported by grants from the federal 22 government or other persons provided the grants are 23 consistent with the other objectives of the department. The 24 purpose of this preference is to use the alternative energy 25 research development and demonstration account for matching moneys in order to support more substantial research.

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12 business, and small communities.

13 (5) All information resulting from such research shall 14 be made available to the public and shall not become the 15 private property of or under the exclusive control of any 16 one company or person.

17 (6) The department is--under--no--requirement--to may 18 expend or commit available alternative energy research, 19 development, and demonstration funds. THE DEPARTMENT MAY 20 COMMIT_FUNDS_FOR_DEMONSTRATION PURPOSES only when in its judgment such expenditures or commitments would---pe 21 22 unproductive have very good potential for producing 23 significant savings of nonrenewable energy sources. THE DEPARTMENT MAY NOT COMMIT FUNDS FOR DEMONSTRATION PURPOSES 24 25 WHEN ANY OF THE FOLLOWING CONDITIONS ARE PRESENT:

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HE 398 SECOND READING

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PRODUCTIVE; Z 3 (8) A SIMILAR DEMONSTRATION HAS BEEN CONDUCTED WITHIN 4 CLOSE_GEOGRAPHIC_PROXIMITY OF THE GEOGRAPHIC LOCATION OF THE 5 PROPOSED_DEMONSTRATION_PROJECT; 6 (C)__THE_PROPOSED DEMONSTRATION PROJECT WOULD NOT 7 FURTHER THE PURPOSE OF THIS PART." 8 Section 2. Section 90-4-107, MCA, is amended to read: 9 "90-4-107. Biennial report. The department shall 10 monitor the grants awarded and shall report its expenditures 11 and other activities information concerning the 12 implementation and effectiveness of specific projects or 13 programs, for which grants were awarded under this part to 14 the legislature at the beginning of each regular legislative 15 session." NEW SECTION. Section 3. Dversight 16 function of 17 environmental quality council. The environmental-quality 18 council--provided--for--in--5-16-101---shall---oversee---the 19 administration--of--the-alternative-energy-grant-program-and 20 DEPARTMENT SHALL SUBMIT PERIODIC REPORTS TO THE 21 ENVIRONMENTAL QUALITY COUNCIL ESTABLISHED IN 5-16-101 FUR 22 REVIEW AND EVALUATION. THE ENVIRONMENTAL QUALITY COUNCIL 23 shall make such recommendations as it considers necessary to 24 assure the greatest possible benefit of the program to the 25 people of the state as a whole. Such recommendations may

(A) PREVIOUS COMMITMENTS OF A SIMILAR NATURE WERE NOT

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E include proposals for legislation.

-End-

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47th Legislature

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ł HOUSE BILL NO. 398 2 INTRODUCED BY QUILICI, DAILY, MENAHAN, FABREGA 3 A BILL FOR AN ACT ENTITLED: MAN ACT TO GENERALLY REVISE THE 4 ALTERNATIVE ENERGY GRANT PROGRAM; AMENDING SECTIONS 90-4-106 5 6 AND 90-4-107, MCA.* 7 institutions. 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 90-4-106, MCA, is amended to read: 10 #90-4-106. Criteria for grant awards. The department 11 may award grants to applicants under 90-4-105 in accordance 12 with the following criteria: (1) A grant may cover a period not exceeding 1 year, 13 14 and the department may not commit itself to spending funds. 15 anticipated to be available more than 1 year after the grant period begins. The department may give an applicant a 16 17 statement of intent to renew its support of his work. subject to the availability of funds and such other 18 conditions as the department may express. 19 (2) The department may give preference to projects 20 which are also supported by grants from the federal 21 government or other persons provided the grants are 22 consistent with the other objectives of the department. The 23 purpose of this preference is to use the alternative energy 24 25 research development and demonstration account for matching

1 moneys in order to support more substantial research.

2 (3) The department may give preference to research 3 centers unattached to existing educational institutions 4 where several investigators can share supporting services. 5 However, this shall not be interpreted to prohibit the 6 department from awarding grants to existing educational 7 institutions.

8 (4) The department may give preference to research 9 centers which make information available to individuals, 10 small businesses, and small communities seeking the use of 11 renewable energy sources in their homes, plants, places of 12 business, and small communities.

13 (5) All information resulting from such research shall 14 be made available to the public and shall not become the 15 private property of or under the exclusive control of any 16 one company or person.

17 (6) The department is--under--no--requirement--to may 18 expend or commit available alternative energy research, 19 development, and demonstration funds, <u>THE DEPARTMENT MAY</u> 20 <u>CDHMIT_FUNDS_FOR_DEMONSTRATION_PURPOSES only</u> when in its 21 judgment such expenditures or commitments would---be 22 unproductive have very good potential for producing 23 <u>significant Savings_of_nonrenewable_energy_sources. THE</u> 24 <u>DEPARTMENT_MAY_NOT_COMMIT_FUNDS_FOR_DEMONSTRATION_PURPOSES</u> 25 <u>WHEN_ANY_OF_THE_FOLLOWING_CONDITIONS_ARE_PRESENT:</u>

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THIRD READING

NO 6340,497

2 PRODUCTIVE; 3 (B) A SIMILAR DEMONSTRATION HAS BEEN CONDUCTED WITHIN CLOSE GEOGRAPHIC PROXIMITY OF THE GEOGRAPHIC LOCATION OF THE 4 5 PROPOSED DEMONSTRATION PROJECT; (C) THE PROPOSED DEMONSTRATION PROJECT WOULD NOT 6 7 FURTHER THE PURPOSE OF THIS PART." Section 2. Section 90-4-107, MCA, is amended to read: 8 9 *90-4-107. Biennial report. The department shall 10 monitor the grants awarded and shall report its expenditures 11 other activities information concerning the and . implementation and effectiveness of specific projects or 12 programs for which grants were awarded under this part to 13 14 the legislature at the beginning of each regular legislative session." 15 16 NEW_SECTION. Section 3. Oversight function of 17 environmental guality council. The environmental-quality 18 council--provided--for--in--5-16-181----shall----oversee---the 19 administration--of--the-alternative-energy-grant-program-and DEPARTMENT SHALL SUBMIT PERIODIC REPORTS TO THE 20 ENVIRONMENTAL JOURLITY COUNCIL ESTABLISHED IN 5-16-101 FOR 21 REVIEW AND EVALUATION. THE ENVIRONMENTAL QUALITY COUNCIL 22 shall make such recommendations as it considers necessary to 23 24 assure the greatest possible benefit of the program to the people of the state as a whole. Such recommandations may 25

(A) PREVIOUS CONNITMENTS OF A SIMILAR NATURE WERE NOT

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HB 398

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-End-

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'HB 398

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HOUSE BILL NO. 398 1 INTRODUCED BY QUILICI, DAILY, MENAHAN, FABREGA 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE 4 ALTERNATIVE ENERGY GRANT PROGRAM; AMENDING SECTIONS 90-4-106 5 AND 90-4-107, MCA." - 6 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 8 9 Section 1. Section 90-4-106: MCA, is amended to read: 10 *90-4-106. Criteria for grant awards. The department may award grants to applicants under 90-4-105 in accordance 11 12 with the following criteria: 13 (1) A grant may cover a period not exceeding 1 year+ 14 and the department may not commit itself to spending funds anticipated to be available more than 1 year after the grant 15 16 period begins. The department may give an applicant a statement of intent to renew its support of his work, 17 18 subject to the availability of funds and such other 19 conditions as the department may express. 20 (2) The department may give preference to projects 21 which are also supported by grants from the federal 22 government or other persons provided the grants are consistent with the other objectives of the department. The 23 24 purpose of this preference is to use the alternative energy 25 research development and demonstration account for matching

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REFERENCE BILL

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(A) PREVIOUS COMMITMENTS OF A SIMILAR NATURE WERE NOT 1 PRODUCTIVE; 2 3 (B) A SIMILAR DEMONSTRATION HAS BEEN CONDUCTED WITHIN CLOSE GEOGRAPHIC PROXIMITY OF THE GEOGRAPHIC LOCATION OF THE 4 5 PROPOSED DEMONSTRATION PROJECT; 6 (C) THE PROPOSED DEMONSTRATION PROJECT WOULD NOT FURTHER THE PURPOSE OF THIS PART." 7 8 Section 2. Section 90-4-107, MCA, is amended to read: 9 "90-4-107. Biennial report. The department shall 10 monitor the grants awarded and shall report its expenditures 11 and other activities information concerning the 12 implementation and effectiveness of specific projects or 13 programs_for_which_grants_were awarded under this part to the legislature at the beginning of each regular legislative 14 15 session." NEW_SECTION. Section 3. Oversight 16 function of 17 environmental quality council. The environmental-quality 18 council--provided--for--in--5-16-101---shall---oversee---the administration--of--the-alternative-energy-grant-program-and 19 20 DEPARTMENT SHALL SUBMIT_ PERIODIC REPORTS TO THE 21 ENVIRONMENTAL QUALITY COUNCIL ESTABLISHED IN 5-16-101 FOR 22 REVIEW AND EVALUATION. THE ENVIRONMENTAL QUALITY COUNCIL 23 shall make such recommendations as it considers necessary to 24 assure the greatest possible benefit of the program to the 25 people of the state as a whole. Such recommendations may

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1 include proposals for legislation.

- 2 SECTION 4. COORDINATION INSTRUCTION. IF SENATE BILL
- 3 141 15 PASSED AND APPROVED, SECTION 4 OF SENATE BILL 141
- 4 PERTAINING TO THE AWARDING OF LOANS UNDER 90-4-106, SHALL BE
- 5 SUBJECT TO THE PROVISIONS OF HOUSE BILL 398.

-End-

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SENATE STANDING COMMITTEE REPORT (Natural Resources)

That House Bill No. 398 be amended as follows:

1. Page 4.

Following: line l.

Insert: "Section 4. Coordination instruction. If senate bill 141 is passed and approved, section 4 of senate bill 141 pertaining to the awarding of loans under 90-4-106, shall be subject to the provisions of house bill 398."